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ABSTRACT

This study's major purpose was to examine intergovernmental relations in the context of compensatory education through an investigation of how far selected Title I operative goals were institutionalized, and the implications of such institutionalization (or lack of it) for stability or change of practices under Chapter 1. Three categories of goals were examined: (1) those changed substantially by Chapter 1 legislation; (2) those that were expected to change greatly but did not; and (3) those that Chapter 1 legislation did not change greatly. Analysis of the available data (from existing research reports and databases and from interviews with Federal, State, and local officials) yielded three major findings. First, of the category 1 goals--comparability, evaluation, parental involvement, and State monitoring and auditing--all of which were highly specified under Title I, only evaluation was sufficiently institutionalized to be retained in the Chapter 1 era. Second, although the category 2 goals--targeting of services to low-income areas and to educationally disadvantaged students--were never precisely defined under Title I, and the practices Title I administrators put into place fell short of meeting those goals, there is little evidence that these practices are changing under Chapter 1. And finally, the category 3 goals--services to nonpublic students, "supplement not supplant," and concentration of services--were never fully implemented under Title I and there is little evidence regarding changes under Chapter 1. It is concluded that although specific Federal requirements may lead to greater compliance, they do not necessarily lead to institutionalization. (CMG)

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A STUDY OF INTERGOVERNMENTAL RELATIONS IN COMPENSATORY EDUCATION

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CHAPTER I

OVERVIEW AND SUMMARY

INTRODUCTION

Passage of the Elementary and Secondary Education Act (ESEA) in 1965 ushered in a new era of federal involvement in elementary and secondary education. Title I of this Act produced an unprecedented infusion of federal funds into most of the country's public school districts. It also represented the first focused attempt by the federal government to encourage state and local education agencies (SEAs and LEAs) to adopt priorities and policies which, for the most part, they had either been unwilling or unable to take on themselves. Prior to the passage of Title I, for example, local districts historically had allocated resources generated from their own sources and from state and federal general aid revenues in a manner which favored schools with higher income families at the expense of schools with concentrations of students from low-income families (e.g., Barrow, 1974; Mundell, 1975). Thus, in the 1960s and 1970s there was tension between historical state and local expenditure patterns favoring more affluent schools and the federal agenda reflected in Title I to provide additional resources to schools with concentrations of children from low-income families.

In the years following the passage of ESEA, federal involvement in elementary and secondary education expanded in two important directions. First, additional federal protections as well as new federal and state categorical programs were extended to other "special need" students, including students in districts undergoing desegregation, students with limited English proficiency, and students with handicapping conditions. Second, federal policymakers deemed it necessary to add more specific Title I requirements and to explain federal intent through expanded regulatory frameworks as problems and uncertainties surfaced in the early years of implementation.

The Education Amendments of 1978 (P.L. 95-561) represented the culmination of this 13-year process for the Title I program. These amendments continued the process of refining the legal framework by (1) incorporating into the statute several former regulatory requirements and administrative policy determinations; (2) rewriting some requirements; (3) clarifying and expanding the state oversight role; and (4) adding some new features and restrictions.

This chapter was written by J. Ward Keesling and Richard Jung.

Title I was replaced by Chapter 1 of the Education Consolidation and Improvement Act of 1981 (ECIA; P.L. 97-35). The Chapter 1 legal framework seeks to preserve the essential purposes of Title I, but to do so in a manner that involves less federal intrusiveness, less overly prescriptive regulations, and less paperwork and administrative burden. To achieve this end, ECIA made some obvious and some subtle changes in the legal framework for Title I, which are discussed in more detail later in this report.

Similar to Title I, the overarching goal of the Chapter 1 program is "to provide financial assistance to State and local educational agencies to meet the special needs of educationally deprived children" (Section 552, P.L. 97-35). Similar to Title I, this overarching program goal is made operational through a set of interrelated standards or operative goals. Chapter 1 reversed the trend over the Title I years of the federal government specifying in greater detail the requirements for meeting these and other operative program goals. The present study focuses on the implementaiton of these operative goals and the implications for intergovernmental relations.

Purposes and Scope of This Study

Secondary purposes of this exploratory study were (1) to investigate which aspects of previous Title I studies and data bases might inform the extent to which certain operative program goals had become institutionalized during the Title I era, and (2) to explore the feasibility of conducting focused secondary analyses on existing data bases to assess the extent of institutionalization of these operative program goals.

The major purpose of this exploratory study was to examine intergovernmental relations in the context of compensatory education. The particular focus of the study was on the extent to which operative goals of the Title I program were institutionalized, and the implications such institutionalization (or lack thereof) might have for stability or change of practices under Chapter 1.

Conceptual Approach

This study examined existing Title I, ESEA data bases to explore (1) the degree to which state and local education agencies had institutionalized either operative goals or particular program practices during the period of growing federal prescription and program maturation, and (2) the implications of such institutionalization for program implementation under the increased state and local flexibility intended by Chapter 1, ECIA.

Central to this analysis are the concepts of "operative goals" and "institutionalization" which we have drawn from organizational theory. We briefly review this literature below to define and explain our use of these concepts in this report.

Etzioni (1964, p. 6) has defined an organizational goal as "a desired state of affairs which the organization attempts to realize." The desired state of affairs intended by Congress in passing and amending Title I, ESEA was that state and local officials use funds from this program to meet the special needs of educationally deprived children. The Declaration of Policy for the Chapter 1, ECIA program refines this overarching goal by stipulating that it was the intent of Congress to maintain this basic Title I goal "but to do so in a manner which will eliminate burdensome, unnecessary, and unproductive paperwork and free the schools of unnecessary Federal supervision, direction, and control" (Section 552, PL. 97-35).

Specification of these official program goals has the merit of identifying the values guiding the implementation and oversight of this program. However, these official goals are abstract; more specific guides must be established on which to base the actual operations of the program.

We have made use of Perrow's (1961, p. 855) distinction between "official" and "operative" goals to form the conceptual base for the analysis in this study. Perrow defines "official goals" as "the general purposes of the organization put forth in the charter, annual reports, public statements by key executives, and other authoritative pronouncements." For the Title I and Chapter 1 programs, these official goals are formulated in the "Declaration of Policy" section of the authorizing legislation.

Perrow observes that "operative goals," on the other hand, "designate the ends sought through the actual operating policies of the organization; they tell us what the organization actually is trying to do, regardless of what the official goals say are the aims." As defined by Perrow, operative goals are generally based on the official goals even though there is usually not a perfect correspondence between the two. Operative goals are, however, the standards by which actors in the organization are judged.

We have chosen nine operative goals of the Title I/Chapter 1 program for assessing implementation across time in this study, based on their centrality to achieving the official program goals and on the availability of cross-time data to assess the degree to which they have been institutionalized. These nine operative goals and brief definitions are presented in Exhibit 1-1.

EXHIBIT 1-1

TITLE I OPERATIVE GOALS

Operative Goals	Definitions
School and Attendance Area Targeting	Provisions for identifying and selecting participating schools or attendance areas within eligible LEAs
Student Selection	Requirements for identifying and selecting participating students in eligible schools or attendance areas
Service to Private School Students	Provisions pertaining to the design and level of services for private school students
Supplement-Not-Supplant	Requirements which apply at the child level intended to ensure that program funds add to, and do not replace, state and local funds
Concentration of Funds	Requirements to insure that funds are not spread too thinly over the population of eligible students
Comparability	Requirements which are intended to ensure that the level of services for Title I or Chapter 1 schools funded from non-federal sources are roughly comparable to services provided in non-Title I/Chapter 1 schools
Parental Involvement	Provisions which prescribe the nature and extent of parental involvement in the planning, operation, and evaluation of Title I programs
Evaluation	Requirements pertaining to state and local assessment of the effects of the program
Monitoring and Auditing	Provisions prescribing the compliance role of state and local educational agencies

Various studies of innovation and program operation have posited a number of stages to describe organizational reactions to implementation of new policies. In all of these stage theories, the final stage usually represents some form of stable state in which the once-new policy is now a stock part of the organization's goals and procedures. For example, Berman and McLaughlin (1976) boil down the innovative process to a three-stage progression: (1) initiation, (2) implementation, and (3) incorporation.

We have chosen the word "institutionalized" to characterize this stage of the implementation of operative goals. For the purposes of this study, we define "institutionalization" as the process by which the behaviors or procedures of program administrators become established, incorporated, or routine. We further hypothesize that institutionalized behaviors or procedures will be resistant to change, even if the legislation and regulations were to provide sufficient latitude to permit changes. As used in this study, an institutionalized goal or practice is one that was established under Title I, ESEA and is likely to continue under the more flexible Chapter 1 requirements.

Methodology

The data we were able to compile from previous studies enabled us to examine the extent to which practices representing the operative goals of the Title I program were implemented at various times. From this record we could determine whether or not certain practices were widely implemented at the end of the Title I era. If practices consistent with an operative goal were not widely implemented, we concluded that the goals was not institutionalized.

However, we cannot infer that an operative goal was institutionalized simply because practices consistent with it were widely implemented. This could result from pressures to comply with the law or regulations. If these constraints were relaxed, the practices might change abruptly, indicating that the goal and practices were not institutionalized.

Practices themselves might have become institutionalized without implying that the goal is institutionalized. The connection between the practice and a goal could be quite vague. We obtained information from past studies about attitudes toward some of the operative goals which we used to make an informed judgement about the degree of institutionalization. If the goal was regarded as essential to the purpose of Title I, we regarded consistent practices representing that goal as indicating that the goal was institutionalized.

Certainly, the litmus test for institutionalization of Title I operative goals would be to observe the changes that have occurred since the onset of Chapter 1. Unfortunately, there are few sources of nationally representative data about practices under Chapter 1. For some of the operative goals we could find data about the extent to which program administrators at the federal, state and local levels predicted that practices would change. These data were collected after the initial Chapter 1 legislation was passed, but prior to the implementation of the program.

For a few operative goals we could obtain some broad data about current practices based upon standard reporting procedures. These were usually impressions of the data rather than formal analyses, however. We also had access to an informal survey of state program coordinators (Gentry, 1983) concerning changes in state and local practices during the first year of Chapter 1. In addition, we conducted interviews with officials in three states and nine districts (described in Exhibit 1-2), asking about the changes they had experienced.

A more complete discussion of the data sources and methodology is contained in the Appendix.

OVERVIEW OF THE REPORT

Because the evidence for institutionalization and its ultimate consequences depend on the degree to which Chapter 1 permits latitude for changes in state or local policy in each operative goal area, we classified the nine operative goals under investigation into three categories, as shown below:

Substantial Changes in Legal Requirements under ECIA Chapter 1	Substantial Changes Anticipated, but Marginal Changes under ECIA Chapter 1	No Change or Marginal Change in Legal Requirements under ECIA Chapter 1
Comparability	School Attendance	Services to Nonpublic Students
Evaluation	Area Targeting	
Parental Involvement	Student Selection	Supplement-Not-Supplant
Monitoring and Auditing		Concentration of services

EXHIBIT I-2

CHARACTERISTICS OF STATES AND DISTRICTS IN THE INTERVIEW SAMPLE

State 1 Region IX

District 1.1	Non-metro, small enrollment, 25+% below poverty line, K-12 in one school, large attendance area
District 1.2	Central city, large enrollment, 12-25% below poverty line
District 1.3	Central city, middle enrollment, 25+% below the poverty line, elementary grades

State 2 Region I

District 2.1	Non-metro, small enrollment, 5-12% below poverty line
District 2.2	Central city, large enrollment, 12-25% below poverty line
District 2.3	Urban fringe, medium enrollment, 5-12% below poverty line

State 3 Region IV

District 3.1	Non-metro, small enrollment, 12-25% below poverty line
District 3.2	Central city, large enrollment, 12-25% below poverty line
District t.3	Urban fringe, medium enrollment, 25+% below poverty line

According to this typology, Chapter 1 substantially modified the legal standards for four of the operative goals: Comparability, evaluation, parental involvement, and monitoring and auditing. These four goals had become precisely defined (relative to the others) by the end of the Title I era, making it fairly easy to determine whether practices consistent with these goals had been implemented. Our discussion of these goals is in Chapter 2 of this report.

The other five operative goals were less well defined, but inferences about implementation of consistent practices could be made for most of them. Certain tentative insights about the degree to which school attendance area targeting and student selection goals were institutionalized during the Title I era were made possible because the original Chapter 1 legislation appeared to increase latitude in these areas greatly. Data from the District Practices Study (Advanced Technology, 1983) allowed us to examine the extent to which administrators anticipated changes would occur under that degree of latitude. Subsequent technical amendments to Chapter 1 made these requirements more like those of Title I. This analysis is presented in Chapter 3.

The other goals were only marginally modified by the legislation for Chapter 1. We document trends in implementation of these goals in Chapter 4. Because Chapter 1 did not change the legal framework for these operative goals, we do not expect radical change to occur in these areas.

In each of the subsequent chapters, we address each operative goal separately. For each goal, we present a chronology of the legislative and regulatory provisions under Title I, interwoven with findings about the implementation of practices representing that goal. We try to draw a conclusion about the extent to which practices (and the goal) were institutionalized at the end of the Title I era. Next, we describe the legal changes under Chapter 1, and we review the evidence available about changes in practices since the end of Title I.

Each chapter concludes with a summary of the findings for the operative goals examined. The next section of this chapter consolidates these summaries. Subsequent sections draw overall conclusions and implications for intergovernmental relations.

SUMMARY: MOST OPERATIVE GOALS OF TITLE I WERE NOT SUFFICIENTLY INSTITUTIONALIZED TO BE RETAINED UNDER CHAPTER 1.

At the end of the Title I era the requirements associated with the goals of evaluation, parental involvement, comparability and state monitoring and auditing

were quite specific and made it relatively easy to determine whether or not districts and states were in compliance.

State Monitoring and Auditing

By the end of the Title I era states were not in compliance with all the requirements regarding monitoring and auditing. The reduction in state administrative funds under Chapter 1 has resulted in a loss of state-level staff. Monitoring and auditing seem to be waning in importance: the focus is on fiscal issues more than program quality. It is too early to tell how districts will respond to the requirement to organizationwide audits.

Comparability

Data from previous studies indicate that there have been substantial problems with implementation of the comparability requirement. Many states did not audit comparability. The elimination of required comparability reports and the low frequency of audits means that implementation of this goal will fall short of the standard set under Title I.

Parental Involvement

Districts generally complied with the requirement for parent advisory councils at the district and school levels. But districts had not accepted the councils as a vehicle for parental involvement. Title I Directors predicted that substantial proportions of the councils (especially at the school level) would be eliminated under Chapter 1. Since other studies had revealed that there were few opportunities outside the councils for parents to become meaningfully involved in planning, implementing and evaluating programs, we conclude that widespread compliance with the requirement for councils did not mean that the goal had been institutionalized.

Subsequent to the onset of Chapter 1, it appears that councils are disappearing. District-level councils are being maintained to a greater extent than school-level councils, as a means of satisfying the Chapter 1 requirement for parent consultation. There is little evidence that other practices are arising to give parents opportunities to advise about program plans and implementation.

Evaluation

By the end of the Title I era, most districts were participating in the mandated Title I Evaluation and Reporting System. Evaluation was perceived as a necessary, if burdensome, component of the program. A substantial minority of districts found evaluations influenced decisions about their programs. In some districts, the evaluation report was viewed as essential information about program performance. As far as we could determine, most districts seem to be continuing to evaluate in much the same way they did under Title I. Of those goals that had been highly specified under Title I, and made much less specific under Chapter 1, evaluation seems to have been the most institutionalized.

The operative goals of targeting services to schools in low income attendance areas and selecting educationally deprived students to receive services were not spelled out with the same precision as the goals discussed above. Districts had considerable flexibility under these provisions. The initial reaction to Chapter 1 was that these provisions were made even less restrictive, but subsequent legislation has made it clear that Congress did not intend to change these goals radically.

Targeting Services to Low Income Attendance Areas

From the outset of Title I, Congress intended that services be provided to attendance areas with high concentrations of children from low income families. But, the definition of such attendance areas was not specified and districts had to choose among several alternative indicators of relative wealth. These indicators could tend to favor different groups within large districts, which led to various schemes to combine the indicators. In conjunction with pressures to provide the services in as many schools as possible, districts often used multiple indicators as a way to declare more schools eligible, and then provided services in nearly all the eligible schools.

Only 10 percent of district directors said they would serve more schools under the Chapter 1 legislation, which continues the goal of choosing schools by relative poverty. There was little expectation that school targeting practices would change under Chapter 1, meaning that most eligible schools will receive services.

Selecting Educationally Deprived Students to Receive Services

Targeting services to educationally deprived students was a consistent goal of the Title I program. Educational deprivation, however, was never clearly defined. As a consequence, there were problems with the practices implemented to achieve this goal.

Student selection practices permitted services to students who were not educationally deprived. Nearly one-sixth of the served students were in the upper half of the distribution of achievement test scores. District practices regarding Title I participation of handicapped or limited-English proficient students varied greatly. Some districts excluded handicapped students, while others served them all.

The federal policies regarding services to handicapped and limited-English proficient students were developed late in the Title I era and would not have had time to become institutionalized. However practices regarding the selection of students "in greatest need" did seem to have become institutionalized. Even if they did not fully meet the letter or spirit of Title I statutes and regulations, they do indicate a degree of institutionalization of the goal.

District-level administrators regarded both of these operative goals as very necessary components of the Title I program. Although the evidence suggests that the practices they put into place fell short of meeting the goals, there is little evidence that they are changing those practices under Chapter 1.

Other operative goals considered in the study were: services to nonpublic students, supplement-not-supplant, and concentration of services. These operative goals were never fully implemented during the Title I era. They also were not greatly changed by the Chapter 1 legislation. Continuing practices may represent ccompliance with the law, some degree of institutionalization, or simple inertia.

Services to Students in Nonpublic Schools

The low incidence of services to students in nonpublic schools suggests that many districts were not fulfilling their responsibilities in this regard, as does the overall rate of participation of nonpublic students in Title I programs. There is no evidence regarding the extent to which the nonpublic programs are comparable to those offered in the public schools. To the extent that the locus of institutionalization of this goal is in the nonpublic agencies whose students receive the services, it is likely that those students will continue to receive services under Chapter 1, because the nonpublic agencies still have legal authority to request services under this law.

Supplement-Not-Supplant

The supplement-not-supplant requirement seemed to be confusing throughout the Title I era. Evidence suggests that there were considerable problems with

implementation. The greatest confusion seemed to be with regard to provisions concerning the treatment of state and local compensatory education programs, and other services "required by law" such as handicapped programs. Title I participants probably received extra services, but did not receive the amount of regular services they would have in the absence of Title I. It will be hard to determine the extent to which these practices have changed under Chapter 1.

Chapter 1 allows districts to exclude state and local funds expended for special programs for educationally deprived children. It will be important to determine the extent to which districts are now excluding state and loccal compensatory education services from the base of service that each Chapter 1 student must receive.

Concentration of Program Services

The concept of concentration of services was never precisely defined in strictly educational terms. The definition in terms of rates of per-pupil expenditure was not satisfactory, but using that definition, it appeared that there was considerable variation in concentration of services. The evidence suggests that appropriate practices had not been institutionalized by the end of the Title I era. There is no evidence regarding changes in these practices under Chapter 1. The Chapter 1 legislation differs little from the Title I legislation, and the practices that were in place are likely to continue as a result of simple inertia.

CONCLUSIONS: SPECIFIC REQUIREMENTS PROMULGATED AT THE FEDERAL LEVEL MAY LEAD TO GREATER COMPLIANCE, BUT NOT TO INSTITUTIONALIZATION.

Reviewing the evidence we have accumulated about these operative goals, we note that the goals that were defined most specifically seemed to have the greatest compliance, although there were some problems with the comparability requirement and the state monitoring and auditing requirement. Nevertheless, only evaluation seems to have become truly institutionalized. On the other hand, the two goals concerning targeting services were never precisely defined, but seemed to have become institutionalized, although the practices implemented in their name fell somewhat short of the spirit of the Title I legislation.

Data from the District Practices Study (Advanced Technology, 1983) show that district administrators of Title I ranked evaluation, school targeting, and student selection above all the other operative goals in terms of importance to the program.

Although they utilize the flexibility they are permitted in the law and regulations to extend services to students who are neither from low income families, nor educationally deprived, they are more likely than not to select such students for service. And they evaluate the impact of these services, generally in the hope they can improve them.

This "kernal" of Title I became institutionalized, and these practices seem to be continuing under Chapter 1, as far as our limited evidence allows us to generalize. However, there have been many other changes in the legislation regarding practices that were not institutionalized, and these may begin to influence the nature and quality of the programs that Chapter 1 students receive. The fact that comparability, supplement-not-supplant and concentration of services were not institutionalized may lead to a progressive dilution of services to Chapter 1 students over time.

IMPLICATIONS FOR INTERGOVERNMENTAL RELATIONS

Higher levels of the intergovernmental chain can influence lower levels through legislation and regulation that:

1) Emphasizes the desired goal;

2) Clearly specifies the nature of the goal; and

3) Provides incentives for realizing the goal.

Much of the evidence we present in subsequent chapters indicates that many of the goals were not specified clearly, even at the end of the Title I era. Chapter 1 leaves the goals even less clearly specified. As we have seen, however, specific goals are not assured of institutionalization.

The extent to which Title I goals were emphasized is hard to ascertain. One way to do this is to contrast Title I goals with goals of other programs. Since we did not set out to do this systematically in this study, the evidence is necessarily sketchy. However, compare these statements regarding parental involvement:

Title I: Advisory councils should have "responsibility for advising (the district) in planning for, and implementation and evaluation of, its. . . (Title I) projects."

Follow Through: Advisory committees are to "assist with the planning and operation of project activities and to actively participate in decision making concerning these activities."

The language of the Title I legislation is much less emphatic about parental participation: having "responsibility for advising" is not as demanding as "actively participate in decision making." Perhaps if the Title I language had emphasized the operative goals, state and local administrators would have implemented them with greater frequency and fidelity. Chapter 1 places about the same emphasis on the operative goals as did Title I.

There were never any clear, extrinsic incentives for attaining the operative goals of Title I. There were, of course, sanctions for failing to comply, but in most areas these were weak. There is evidence in the subsequent chapters that when sanctions were imposed, they resulted in greater compliance. However, under Chapter 1 the states have less support for their administrative activities, which has led to reductions in staffing and a lower frequency of monitoring and auditing. The federal effort in monitoring and auditing has also diminished. This means that violations are more likely to go undetected than they were under Title I. If rewards are not offered and sanctions are not imposed then there is little to influence the nature of the program other than the extent to which past practices have become institutionalized. Even this is likely to drift as personnel are replaced over time. It is not an original idea, but it seems quite plausible that over time the drift away from the operative goals wil become so severe as to necessitate the respecification of precise goals and the imposition of sanctions for failure to comply.

We conclude that it would be better for higher levels in the intergovernmental hierarchy to be specific about their goals, emphasize their importance, and reward their attainment. This will probably lead to a certain amount of federal and state prescriptiveness, and to burden on the local districts, but it will also lead to programs that are implemented with greater fidelity to their goals.

CHAPTER 2

TITLE I OPERATIVE GOALS THAT WERE CHANGED SUBSTANTIALLY BY CHAPTER 1 LEGISLATION

This chapter presents a detailed examination of four operative goals that were changed substantially by Chapter 1 legislation: Evaluation, parental involvement, state monitoring and auditing, and comparability requirements. For each of these goals the legislation under Title I, and the accompanying regulations, had become progressively more prescriptive. This specificity made it fairly clear whether or not the goal was being implemented. Chapter 1 dramatically reduced the specificity and prescriptiveness associated with these goals. The evidence suggests that they were not widely institutionalized.

At the inception of Title I, Congress provided that information about the effectiveness of programs established under the law would be gathered annually. This provision and the provision for parental involvement were intended to insure that the programs met the needs of the educationally deprived. Barnes and Ginsburg (1979) examine the interrelationships of these two provisions in some detail. After presenting the evidence concerning each of these goals, we will discuss the connection between them.

EVALUATION

Early evaluations were not informative, leading Congress to mandate a more specific operative goal.

The original version of the Elementary and Secondary Education Act of 1965 required that local projects ensure that "effective procedures, including provisions for appropriate objective measurements of education, will be adopted for evaluation at least annually of the effectiveness of the programs in meeting the special educational needs of educationally deprived children" (P.L. 89-10, Section 205). The purpose of this operative goal was to assure that administrators of Title I would know whether projects were achieving their stated purposes and/or meeting the needs of educationally deprived children. Presumably, if the evaluation results showed some discrepancies, the projects would be modified to be more effective.

This chapter was written by Michael J. Gaffney and J. Ward Keesling

Winslow's (1979) analysis of compliance reviews indicates that evaluations were performed during the period between the inception of Title I and the 1973 hearings for reauthorization, but there were serious questions concerning their quality and the extent to which they were capable of influencing the design of programs. McLaughlin's (1975) review of early evaluations indicates that they did not satisfy reasonable standards of evidence. Reviews of Title I evaluations by Wargo et al. (1972) and Gamel et al. (1975) indicate the quality was beginning to improve somewhat by 1974. The evidence indicates that evaluations were conducted, but were too subjective or too biased to produce valid conclusions concerning the effectiveness of Title I.

During the eight years between 1965 and 1973, more than $10 billion was spent on Title I, yet when Congress began deliberations on the reauthorization of Title I, there was scant information about the operational characteristics of the projects funded by Title I, much less their effectiveness. Congress decided that it wanted more uniform data about the effects of Title I on student achievement, and in Section 151 of P.L. 93-380 (reauthorizing Title I) it directed the Commissioner of Education to develop models for evaluation, including "uniform procedures" and "objective criteria" that would produce "data which are comparable on a statewide and nationwide basis." This directive led to the creation of the Title I Evaluation and Reporting System (TIERS). The history of this development is given by Reisner et al. (1982) and by Stonehill and Anderson (1982).

TIERS had two major components: 1) Models of evaluation that were designed to give wide latitude to local districts in choosing the subject areas and tests to use in accumulating objective evidence about project performance, and 2) Technical assistance to help the states and districts to implement the models. This technical assistance was to assure that districts collected data correctly and recorded the results faithfully using reporting formats that would permit the data to be aggregated to the state and federal levels. The period between the reauthorization of 1974 and that of 1978 was used by the Office of Education to develop the models and reporting formats, with considerable input from local and state administrators. Use of the models and reporting formats was not mandated until the reauthorization of 1978. Wisler and Anderson (1979) provide additional insights into the development of the models and reporting formats.

Evaluation models developed in response to the Congressional mandate were adopted slowly.

Reisner et al. (1982) document that there was considerable concern in the Office of Education (and, later, in the Congress) that local educational goals were so diverse that appropriate evaluations of them could not be aggregated into a national assessment of the effectiveness of Title I. Congress wanted a system that would allow local projects to assess the impact of their activities and modify them to increase effectiveness while also providing information that could be used to estimate statewide and national impacts of Title I. Because local projects focused, to a large extent, on improving basic skills in reading and mathematics, there was reason to suppose that local evaluations could be aggregated to the state and federal levels.

However, the approches taken to orgarizing instructional offerings and presenting curriculum to Title I-served students varied considerably from district to district, and even within single districts. In some districts, each school was permited to develop its own approach to providing Title I supplementary instruction. Reading centers staffed by specialized teachers could be developed in some buildings, while instructional paraprofessionals could be assisting teachers in the regular classroom in others. This diversity would be subsumed under the heading of "Title I Program" at the district level. Tallmadge, (coauthor, with Wood, of the User's Guide for TIERS, 1976) has indicated (personal communication, 1984) that one of the important challenges in the development and implementation of the TIERS was conveying to local officials the notion that they should be evaluating a "project" having a consistent instructional methodology and focus.

Between the reauthorization of 1974 and the 1976-77 school year, few districts adopted new evaluation practices due to the deliberate pace of the Office of Education in promulgating appropriate evaluation models in the regulations governing Title I (Gaffney, Thomas, and Silverstein, 1977). According to Reisner et al. (1982, p. 75) by 1978-79 only 57 percent of the LEAs nationwide had adopted the evaluation models prescribed as part of the system. States were resistant to the models from the start (Reisner et al., p. 92), and were cautious about adopting them.

Reisner et al. conclude (p. 95): "The legislative requirements forced states and local school systems to change their assessment systems sometimes radically, in order to meet certain objectives that were largely external to their own needs." On the other hand, they also quote (p. 93) a federal official as stating. ". . . there has been

acknowledgement of the superiority of the new methods over the old ways." Apparently, districts and states faced a choice between evaluations that were based on sound technical grounds and responded to Congressional needs for a national assessment of effectiveness, and evaluations that were more directly related to the objectives and operations of their own programs, but technically flawed. This led, in part, to the slow pace of adoption of the TIERS Models. Eventually, compliance was achieved through the threat of loss of Title I funds and the provision of technical assistance to adapt the required evaluation practices to local needs (Reisner, et al., p. 96).

At the end of the Title I era, evaluation was perceived as burdensome, but necessary.

The legislation that resulted from the reauthorization of Title I in 1978 mandated that the TIERS Models be used in all districts receiving Title I funds. In the school year 1981-1982, four years after this reauthorization, the Study of District Practices Under Title I (Advanced Technology, 1983) inquired about the implementation and utilization of evaluation at the district level.

District directors of Title I programs were asked whether they had made certain changes in the Title I program, and if they had they were asked to indicate which of a number of factors had influenced these decisions. Among the 33 percent of the directors reporting a change in the distribution of services among grades, 25 percent indicated that evaluation results had influenced this decision. Cited more frequently as reasons for this specific change were: changes in Title I funding levels, data from formal needs surveys, and recommendations by teachers and principals. Similar findings were obtained from the 22 percent of the directors who reported changes in the relative emphasis placed on reading, mathematics, and language arts (Advanced Technology, 1983, pp. 10-10 to 10-14).

Nearly 40 percent of all directors reported that evaluations helped them to make decisions about changes in grades served, subject matter focus, staffing, or curriculum. About half of the large districts (over 9,999 students) indicated that evaluation results helped in these decisions, while just over a third of the small districts (less than 2,500 students) gave a similar report (Advanced Technology, 1983, pp. 10-16 to 10-19).

The Title I directors surveyed were asked to rank ten features of the regulatory provisions governing Title I as to their burden and their necessity to maintaining the essence of the Title I program. Evaluation was ranked as the second most burdensome activity (behind parental involvement) and the second most necessary activity (behind

ranking and selecting students; Advanced Technology, p. 10-8). Although evaluations were not utilized in a majority of the districts to make specific programmatic decisions, there was a wide-spread acceptance of evaluation as a necessary ingredient of Title I.

Federal evaluation managers viewed the TIERS as insufficiently institutionalized to persist after Chapter 1 revised the evaluation requirements.

Chapter 1 reduced the administrative burden of required evaluations by mandating that a district need only evaluate once every three years. This evaluation must include "objective measurements of educational achievement in basic skills" and "a determination of whether improved performance is sustained over a period of more than one year" (Federal Register, 1982, Vol. 47, No. 30, p. 6591, Section 200.54). The TIERS models are no longer required. Perhaps even more important, the results of the required evaluation do not have to be reported in a standard reporting format as was required under the TIERS.

Despite the apparent acceptance of the TIERS models and reporting format as a necessary part of Title I, as reported above, Reisner et al. (1982, p. 96) reported that federal evaluation managers perceived the TIERS as insufficiently institutionalized to persist after the Chapter 1 legislation was promulgated, unless a great deal of support was given to it by the Department of Education. The evidence from the District Practices Study, that about 40 percent of districts found evaluation results influenced decisionmaking about Title I, combined with the high degree of burden, suggests that districts might be inclined to abandon annual evaluations. But, the high ranking of the necessity for evaluation, and Federally-supported technical assistance suggests that districts will continue to evaluate using TIERS.

Districts that found utility in the annual evaluations appear to be continuing this practice.

One reason that districts may continue to use the TIERS models is that the Technical Assistance Centers established under Title I continue to operate. Although most were not perceived positively (see Advanced Technology, 1983, p. 10-24), they provide a resource to many districts. Federal evaluation managers report that there is a decline in the number of students for whom TIERS information is reported, but it is not large enough to infer that very many districts are abandoning these models (Office of Planning, Budget and Evaluation, personal communication, 1984).

Our interview sample (three districts in each of three states) is too small to be considered representative of district practices nationwide. Nevertheless, the results are intriguing. States 1 and 3 both intended to reduce paperwork burden by requiring TIERS-type evaluations only once each three years. In State 1, which encourages continuation of the use of the TIERS model for evaluation, all three of our sampled districts are performing such an evaluation annually. Two of the directors indicated that local constituencies wanted to examine evaluation results on an annual basis, the third gave no reason for continuing this practice. In State 3, which does not encourage continuation of the TIERS-type evaluations, the same patterns holds: two districts in our sample are persisting in annual evaluations because they find them useful, while a third did not give a reason for continuing.

In State 2, two of the districts are continuing to collect data annually, but one of these considers this to be an inadequate evaluation of the program. The other district has abandoned annual evaluations.

The nature of the requirement for evaluation under Title I changed considerably from the inception of the program to the years just prior to Chapter 1. Apparently, most districts accepted that technically rigorous evaluations were an important feature of the Title I program, even if a minority of them used the results to influence decisions about the program. Although Chapter 1 made some changes in the evaluation requirements, generally eliminating the previously required reporting formats and making the use of the TIERS models optional, districts that found a local constituency interested in the evaluation results, or found them helpful for assessing what effects the project was having, are continuing to perform annual evaluations. We conclude that the operative goal of project evaluation was institutionalized, but that institutionalization of specific evaluation practices established under Title I was dependent upon the degree to which the results found some utility or audience in the local districts.

PARENTAL INVOLVEMENT

Parental involvement was ambiguously defined at the outset.

The 1965 legislation for Title I (P.L. 89-10) required that parents be involved in developing district applications for programs. In 1968 "maximum practical involvement" of parents in all phases of Title I was required. In 1971 districts were required to provide parents with documents on planning, operating, and evaluating projects. These

requirements did not specify a role for parents, but began to focus on aspects of the program to which parents should attend.

In concert with the increasing specificity of focus, there was also increasing specificity of a mechanism by which to involve parents: the advisory council. In 1968 the establishment of district-level parent advisory councils (DACs) was recommended. In 1970 DACs were made mandatory. In 1971 the Office of Education began to encourage formation of school-level parent advisory councils (SACs). By 1974 SACs were also required by law, with members of all councils to be selected by parents. The regulations implementing this requirement were not issued until 1976. The role of the parents was still ambiguously defined as "advisory."

Winslow's (1979) analysis of compliance reviews indicates that in the period between 1970 and 1973, nearly half of the states reviewed had problems with establishing or implementing DACs. More than half had problems with the quality and extent of parental involvement during this period.

As the requirements were made more precise during the period from 1974-1976, the proportion of states with problems establishing or operating advisory councils remained just below one-half. However, nearly 70 percent of the states developed problems with the quality and extent of parental involvement, and a slightly larger percentage had problems with inadequate training, or provision of information and materials to parents.

The NIE Compensatory Education Study (1978) documented that there was considerable confusion about the role to be played by parents. Parent Advisory Councils were described as having three possible roles:

1) Providing support for Title I activities and staff;

2) Improving the parent's capability to function as a parent; and

3) Involving parents in Title I management through planning, needs assessment, evaluation and monitoring activities.

Just over half of the advisory councils surveyed had not been involved in meetings to plan the Title I program. Nearly 90 percent of those that were involved felt that their role was advisory. Only 29 percent of the districts surveyed offered training sessions to the advisory councils. NIE concluded (1978, p. 103), "In general, school officials have not found effective ways to provide parents with technical assistance in performing their role as (advisory council) members."

Reanalysis of these data show, however, that more than 80 percent of the largest districts (those with enrollments exceeding 9,999 students) provided training sessions, while only 20 percent of those with enrollments below 2,500 provided such training. One can speculate that the larger districts had the resources to provide such training, and might have been motivated to do so by the presence of one or more community action groups interested in gaining access to the decisionmaking process.

NIE concluded that the role of parents in the Title I program would need to be clarified before districts would know what was expected of them (1978, p. 105):

> (Advisory council) members are not the only group confused about their roles: even at the Federal level a variety of beliefs about parent involvement coexist, and a clear policy had not emerged. (Advisory councils) can assume the role of decisionmakers, advisors, instructional participants, concerned parents, and community liaison personnel. Exactly what is intended by the framers and supporters of the program requires considerable clarification.

The NIE study also raised a number of questions concerning the membership of the councils, such as the voting rights of non-parent members and the length of terms of office. NIE found considerable variety in these practices and felt that it was necessary to clarify these aspects of policy as well.

At about the same time (1977) the Council of Chief State School Officers reported to the House Subcommittee on Elementary, Secondary and Vocational Education that requiring parent advisory councils for each school "diverts considerable time and money from instruction." They felt that such councils should only be required if at least $50,000 of Title I funds were allocated to the school.

The reauthorization of 1978 made explict rules for forming advisory councils, and attempted to clarify their role.

Title I legislation in 1978 mandated both district-level and school-level councils. The majority of the membership of each type of council was to be parents of students served by Title I, elected by parents of eligible students. If a school served at least 75 students, then the SAC had to have at least eight members. The SAC was not required of a school having fewer than 40 participating students and no more than one full-time equivalent staff member paid by Title I.

The legislation specified that ". . . each local educational agency shall give each advisory council which it establishes . . . responsibility for advising it in planning for and implementation and evaluation of, its programs and projects assisted under this

title" (Section 125(b), P.L. 95-561). To support this activity, members of advisory councils were to receive copies of the Title I legislation, federal and state regulations, and guidelines for the program. In addition, each district was to provide training (in carrying out their responsibilities) for all members of its councils. The Secretary of Education was to sponsor regional workshops to assist districts with this training effort, and, in addition, was supposed to prepare a policy manual for the councils to assist them in carrying out their responsibilities as advisors.

Districts complied with the rules concerning formation of advisory councils, but had difficulty establishing their role and function.

Both the Study of Parental Involvement in Four Federal Programs conducted by System Development Corporation (1978-1982), and the Study of District Practices conducted by Advanced Technology (1980-1983) addressed issues concerning the establishment and functioning of advisory councils. The Study of Parental Involvement showed that nearly 100 percent of the districts had a district-level council (DAC), and in 95 percent of these, parents of served children were the majority of voting members. At the school level, a majority of the councils (SACs) were smaller than prescribed (eight members). In ten percent of SACs the parents of served students were not the majority of the voting membership. These results, confirmed by the Study of District Practices, suggests a high degree of compliance with the regulations concerning formation of DACs, but less compliance regarding SACs.

In both types of councils a member of the council presided over meetings in just over 55 percent of the cases, but the agenda was usually set by district officials (in about half the districts they coordinated with the council chairperson or other member). The Study of Parental Involvement indicated low levels of decisionmaking responsibility for most councils. Only 30 percent had exclusive or shared decisionmaking responsibility with respect to evaluation or project applications, only 20 percent excercised this authority over budgets, and less than 5 percent exercised this level of input regarding personnel. (See Keesling, 1980, and Melaragno, Lyons and Sparks, 1981, for a more detailed analysis of these data.)

The Study of District Practices discovered that DACs in smaller districts were less often involved in planning, implementing and evaluating projects than DACs in medium sized or large districts (Advanced Technology, 1983, p. 6-13). In responses to specific questions concerning changes in grades served or subject matter focus for Title I, districts that reported changes indicated that parental input was one of the

least important influences on the decision to change. Among directors who indicated that they would like to change something about their programs, parental opposition on the change was given very little importance as a potential barrier (Advanced Technology, 1983, p. 6-14).

Parental involvement was ranked as the most burdensome aspect of the activities mandated under Title I. It was seen as about middle in importance to maintaining the essential nature of Title I, easily outranked by student selection, program evaluation, and school targeting. Although the amount of time devoted to parental involvement did not seem likely to be an excessive burden (10 percent of the time spent in administering Title I, on average), there were problems with meeting the letter of the law regarding elected councils of specified size. Only 15 percent of Title I directors surveyed indicated no problem with obtaining DAC members, or the attendance or participation of DAC members. Only seven percent reported none of these problems with SACs. Larger districts had fewer problems with DACs than SACs, while other districts had about equal problems with both (Advanced Technology, 1983, p. 6-16). While districts were complying with the law regarding formation of councils, they were experiencing frustrations with their operation.

Chapter 1 eliminated the requirement for councils of either type, leading over 40 percent of Title I directors to predict that SACs would be eliminated.

Under Chapter 1, projects must be "designed and implemented in consultation with parent and teachers" of the children being served. Grantees are no longer required to establish Parent Advisory Councils. However, these may be used to meet the requirment of the new legislation, if desired. The scope of federally required involvement has been reduced because: (1) evaluation is no longer an area of parental involvement, and (2) the specific mechanism for involvement, the advisory council, has been made optional.

The Study of the District Practices conducted its surveys shortly after the legislation for Chapter 1 was approveed by Congress. Questions were posed concerning the possible effects of the legislation. Many district officials were not familiar with the details of this legislation, but given a description of the parent involvement provisions, most were willing to guess as to the future of DACs and SACs.

About 20 percent of Title I officials in small and medium sized districts expected both types of councils to disappear. Only 5 percent in large districts (over 9,999

students) anticipated this outcome. Twenty percent in small districts, 32 percent in medium sized districts and 45 percent in large districts expected DACs to persist while SACs would be substantially reduced or eliminated. About 20 percent of all Title I directors expected both types of councils to continue as they were (Advanced Technology, 1983, p. 6-20, 21).

In interviews with a sample of 100 district Title I directors, those who predicted elimination of councils were asked why they anticipated this outcome and they indicated that the main reasons were the burdensome requirments under Title I for elections and for having a certain number of members. This seems to confirm the conclusion that it is not the time of administration that made parent involvement a burden, but the difficulties in meeting the letter of the law (possibly raising burdensome anxieties about compliance audits).

The changes in the nature of parental involvement requirements brought about by Chapter 1, and the perceived burdensomeness of the Title I requirements lead to the expectation that parent advisory councils would not be sufficiently institutionalized on a broad basis to persist long after the implementation of Chapter 1.

DACs are being maintained to a greater extent than SACs.

A survey of State Chapter 1 Coordinators (Gentry, 1983) indicates that they believe the major change at the local level from Title I to Chapter 1 is that there is less advisory council involvement. Thirty-three percent of the Coordinators cited this change. Sixty percent of the Coordinators reported that they used the new flexibility of Chapter 1 to write their own guidelines for parent/teacher consultation.

Evidence from the limited interviews conducted for the present study indicates that only one district is maintaining the SACs as they were before, in part because they feel the state is encouraging them to do so. Other districts in this state report maintaining councils, but the SACs in one of them no longer have the minimum of eight members and none of the council members in the other district are parents of served children. In the other states three districts have eliminated SACs, to their great relief, and SACs are waning in another district. One district never had a SAC because it had only one school. The remaining district had developed a program in which parents (organized around the SACs) had monitored the Title I project. This is still going on under Chapter 1.

One district eliminated its DAC, while another has seen it fade as a consequence of logsitical difficulties in getting parents to attend. The remaining DACs apparently satisfy Chapter 1 Directors' needs for parental contact and input, although one DAC has no parents of served children in its membership.

These findings are consistent with those concerning evaluation: where the local district had found a specific role for the advisory group to play, it is likely that the existence of the group became institutionalized around that role. The DACs traditionally played the role of signing off on the district application, and they may be persisting in order to fulfill that role. The SACs in one district appear to have a very specific function to play in the monitoring of the project. There is also evdience that state encouragement to maintain the councils had an effect.

Chapter 1 broke an important link between parental involvement and evaluation.

As Barnes and Ginsburg (1979) noted, parents were supposed to be very involved in the evaluation of Title I programs. Parental involvement was supposed to assure that the program was appropriate for the needs of the students. Evaluation was supposed to assure that the program would have an effect. Parents were to be involved in the design and evaluation of programs to be sure that the programs worked for their children.

This was a heavy burden to place on the parents who had no background as educators or evaluators. Barnes and Ginsburg, and Wiley (1979) also pointed out that the complex and abstract nature of the TIERS system would make it even more difficult for parents to comprehend. But the burden on districts was even heavier: They were expected to explain the system to parents in a manner that would permit parents to be fully involved. Since the districts themselves did not always find the TIERS models useful, it is not surprising that they were not able to fully explain them to parents.

Barnes and Ginsburg (1979) predicted that the emphasis in TIERS on aggregating national outcomes would make the system unresponsive to the needs of parents. Parents need to isolate the important characteristics of schools and teachers within a grade level that contribute to variation in effectiveness. Parents couldn't learn from TIERS what they needed to know. The district cited above that taught SAC members how to monitor the Title I program, is evidence that some districts were able to find ways to involve parents in evaluation activities.

Chapter 1 greatly reduced the specificity of both the parental involvement and evaluation requirements. But, it went even further in reducing the burden of these two operative goals: Chapter 1 eliminated evaluation as one of the mandated areas of parental involvement. This unravels the tie that was to make parents the motivating force for quality programs. We anticipate that parents will have greatly reduced opportunities for learning what effects Chapter 1 programs are having on their children. This will make them less effective in their role as advisors about program design and implementation.

PROVIDING FOR STATE MONITORING AND AUDITING

Under the Title I legal framework, states had an administrative oversight role that included monitoring and auditing school district implementation of Title I. The federal intent in assigning states this oversight role was to help insure that school districts used Title I funds for the purposes which Congress intended.

Prior to 1978, the monitoring and auditing requirement was not expressly described in the Title I statute.

In the earlier years of Title I, the state oversight responsibilities of monitoring and auditing were set forth in regulations implementing the General Education Provisions Act (GEPA). The regulations required that states "constantly monitor performance;" conduct audits that examined both fiscal integrity and compliance; and have a "systematic method" for resolving audit findings and exceptions. Audits were supposed to be conducted "with reasonable frequency, usually annually, but not less than once every two years, considering the nature, size, and complexity of the program."

Winslow (1979) examined the findings of federal audits and progrm reviews as they bore on state monitoring and auditing over three time periods: 1965-1969, 1970-1973, and 1974-1976. The study used five categories, for both state monitoring and auditing, to classify its findings:

- Inadequate frequency
- Inadequate scope
- Inadequate review and follow-up
- Inadequate procedures
- Inadequate staffing

Winslow found that states were more often cited for an inadequate scope of monitoring rather than a failure to monitor with sufficient frequency. The number of states with monitoring problems in the last three categories declined over time (p. 83). With respect to auditing Winslow found that the number of states with findings in the last two categories also declined, but the number of findings in the first two categories were very similar in the last two periods and the number of states having inadequate review and follow-up appeared to be increasing (p. 81). Winslow summarized his findings as follows:

> For SEA auditing and monitoring, the functions, although designed to accomplish similar objectives, have taken divergent paths. In auditing, organizational issues in making the auditing function routine have become less prominent than those pertaining to thoroughness. Problems pertaining to the frequency and scope of auditing persist. Scope problems, however, have become narrower and more specific over time. For monitoring, problems of insufficient scope have been predominant, although the substance of these findings has changed. In contrast with an initial concern that monitoring concentrate on basic compliance areas, later findings stress monitoring of program development and fidelity to design (quality considerations) (pp. 98-99).

Goettel and Orland (1977) found major variations among eight states in the frequency and emphasis placed upon state monitoring visits, the adequacy of the follow-up to such visits, and the thoroughness of the monitoring visit. As they reported:

> All states do some on-site monitoring. All except one state . . . try to visit each district at least every three years. Larger districts are visited more often than smaller ones.
>
> Monitoring in most states tends to focus on fund allocation concerns, since they are less controversial and easier to investigate (p. 78).

Concerned about state monitoring and auditing, Congress made these provisions an explicit part of the Title I statute in 1978.

The legislative history of the 1978 Amendments noted Congressional concern about both state monitoring and auditing. As the legislative history explains:

> The Committee has previously stressed the importance of state monitoring of Title I programs in its report on the 1974 amendments. Yet, a 1975 GAO report about Title I . . . cited the need for improved monitoring of Title I programs. The GAO study found that about 35 percent of the state educational agencies visited as part of the study had no formal monitoring systems for Title I (H.R. Rep. No. 95-1137, p. 44; S. Rep. No. 95-856, p. 60).

Congress also addressed perceived deficiencies in state auditing:

> The Committee notes that a recent study completed by the Office of the Assistance Secretary for Education, the DHEW Sanction Study (1977), concluded that, 'Failure to meet audit responsibilities at the SEA-LEA levels is one of the most frequent findings of the DHEW Audit Agency.' (S. Rep. No. 95-856 at 61-62; H. R. Rep. No. 95-1137 at 46.)

The new legislation for Title I required that the SEA adopt standards for monitoring district Title I programs that were consistent with (1) minimum standards established by the Secretary, and (2) a state monitoring and enforcement plan which had to be submitted to the Secretary (Section 167).

The state monitoring standards had to (1) describe the purpose and scope of monitoring; (2) specify the frequency of on-site visits; (3) describe the procedures for issuing and responding to monitoring reports; (4) specify the methods for making monitoring reports available to parents, state and local auditors, and other persons; and (5) specify the methods for ensuring the noncompliance practices were corrected (Section 167 of Title I; 34 CFR 200.151, 1981). The state monitoring and enforcement plan had to include a report on what the State had done to carry out its monitoring and enforcement efforts since submitting its previous plan (Section 171 of Title I; also see Section 434(a)(1) of GEPA).

Congress emphasized state audit and audit resolution responsibilities because of concern about (1) the manner in which some states had failed to perform these functions adequately, and (2) state audits that examined only expenditures, but not compliance, as required by the regulations. Section 170 of Title I required that "each State shall make provisions for audits of the expenditure of funds . . . ." The audits had to determine, at a minimum, (1) "the fiscal integrity of grant or subgrant financial transactions and reports", and (2) the compliance of the grant or subgrant. Audits had to be made "with reasonable frequency, usually annually, but not less than once every two years, considering the complexity of the activity."

These statutory requirements were supplemented by OMB Circular A-102 (Uniform Administrative Requirements for Grants-in-Aid to State and Local Governments, 1979) which contained Attachment P (Audit Requirements). Attachment P required that state audits be conducted in accordance with the GAO's Standards for Audits of Governmental Organizations, Programs, Activities and Functions (Comptroller General, 1980), OMB's Compliance Supplement (1980), the EDGAR Regulations (See 45 CFR Section 100b.702 and 45 CFR Section 74.61 (h) (1980)), OMB's

Questions and Answers on the Single Audit Audit Provisions of OMB Circular A-102 (1981) and the Title I regulations (See 34 CFR 200.190 - 200.196 (1981).

Congress also clarified the obligation of states to resolve audits. Section 170 of Title I required that each SEA have "written procedures, meeting minimum standards established by the Secretary, to assure timely and appropriate resolution of audit findings and recommendation...." The procedures had to include a description of the audit resolution process, timetables for each step of the process, and an audit appeals process.

In short, the 1978 Amendments required periodic monitoring and auditing and the increased activities required in these areas meant that some states had to devote added time and resources to monitoring and auditing. To facilitate this, as well as to provide more funds for other state administrative activities, Congress increased the amount set aside for state administration from 1.0% to 1.5% of a state's Title I allocation and provided a minimum amount for states with small allocations.

Despite these detailed requirements, state monitoring and auditing of Title I program compliance occurred le[illegible] frequently than specified by law.

Data from the District Practices Study (1982) show that 78 percent of the districts reported no increase in the frequency of formal on-site monitoring visits by state staff since 1978. The District Practices Study found that large and very large districts were formally monitored on an annual basis somewhat more often than small or medium districts. Monitoring teams sent to larger districts were larger than teams sent to smaller districts, and they stayed on site longer.

Despite previous Congressional concern about the frequency of state auditing, the District Practices study found that 30 percent of the districts had not had a Title I audit in the last three years. Exhibit 2-1 shows that nearly a quarter of the districts reported state audits looked at fiscal integrity, but not compliance. Federal audits examined both characteristics a bit more frequently.

The Study of State Management Practices (Bessey, et al, 1982) included findings concerning state monitoring and auditing. With respect to the frequency of monitoring, this study found:

> Nineteen states said they monitored every district at least once a year, ten said they monitored every district at least once every three years, sixteen states said that monitoring frequency depended upon the size of the LEA, and only three states said that they monitored every district at least every two years (p. 167).

EXHIBIT 2-1

PERCENT OF STATE AND FEDERAL AUDITS EXAMINING FINANCIAL RECORDS AND COMPLIANCE WITH TITLE I REGULATIONS

	Federal Audits	State Audits
Both financial records and compliance	80%	70%
Financial records only	7%	23%
Don't know	13%	7%
N=	(52)	(210)

Source: Advanced Technology, 1983, P. 8-33.

The authors noted that "while several audit requirements had existed prior to 1978, many states only began to implement them after 1978" (p. 429). Thirty-four states felt their audit activities had changed after Title I audit requirements were specified in the 1978 Amendments. Data on the frequency of fiscal and compliance audits showed that compliance audits were still less frequent than fiscal audits, as Exhibit 2-2 indicates.

The Study of State Management Practices summed up the continuing problem with state performance in the area of compliance audits as follows:

> Forty-three states appear to have conducted some form of compliance auditing; six states appear to have conducted no compliance audits. While a total of 30 LEA requirements were audited by states, the majority of states audited only maintenance of effort, supplement not supplant, comparability, designating school attendance areas, and children to be served.
>
> Unexpected was the extent to which program compliance audits have not been conducted according to the requirements. It was expected that a requirement as long standing as this would have been implemented widely. Ten states, however, reported initiating compliance audits of Title I after the 1978 law, and at least thirteen states appear to have been out of compliance with the requirements for compliance auditing during the Study's interviews (p. 411).

Monitoring and auditing by states was not an institutionalized practice by 1982.

The Study of State Management Practices asked 49 state coordinators if they would continue to monitor if not required to do so by law. Forty-seven percent indicated that their monitoring would be similar to current practice. On-site interviews were then conducted in a sample of 20 states which "tended to be very active in the area of monitoring" (p. 200). Asked whether they specifically planned to continue monitoring under Chapter 1, the 20 coordinators replied as follows:

- 40 percent indicated plans to do less monitoring in the future;
- 45 percent indicated monitoring plans that differed from those in current use; and
- 15 percent indicated continuation of monitoring similar to what is done at present.

The contrast is noteworthy. Given the theoretical question, 47 percent of 49 coordinators said their monitoring would be similar to current practice. Confronted with the specific question, only 15 percent of a sample of 20 coordinators who were very active in the area of monitoring, said their monitoring under Chapter 1 would be similar to current practice.

EXHIBIT 2-2

FREQUENCY OF STATE AUDITS[1]

Frequency	Fiscal Audits	Program Compliance Audits
At least once every year	22	9
At least once every two years	5	5
At least once every three years	16	18
Other	6	10

Table entries are numbers of states in each category.

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[1] Fiscal auditing tended to occur at least once every year, but about one-third of the states used a three-year cycle. In program compliance auditing, more states used a three-year cycle than any other pattern. Six states in fiscal auditing and ten states in program compliance auditing varied their schedule of audits based upon factors such as LEA size, but these patterns generally incorporated a three-year cycle. (Source: Bessey, et al, 1982.)

The attitudes of 48 state coordinators about audits were classified in the same study as follows:

- 10 percent were negative toward both fiscal and program compliance audits;
- 56 percent were positive toward fiscal audits, but negative toward program compliance audits; and
- 33 percent were positive toward both fiscal and program compliance audits.

When 49 state coordinators were asked what they would do if there were no federal audit requirements, 86 percent indicated that fiscal audits would continue, but only 31 percent said program compliance audits would continue. Fiscal audits were the only component of state monotoring and auditing that seemed to be institutionalized.

Chapter 1 greatly reduced the specificity of requirements for state monitoring and auditing, and cut state administrative budgets.

When Congress enacted Chapter 1, it did not include the Title I standards specifying the nature and scope of state responsibility for monitoring and auditing. The requirement for a state monitoring and enforcement plan was eliminated. Congress also made certain provisions of the General Education Provisions Act, including those pertaining to state monitoring, inapplicable to Chapter 1. The Chapter 1 regulations are silent concerning the frequency and scope of state monitoring, and it appears that states are being allowed considerable discretion in this area.

Chapter 1, however, does indicate that LEAs must keep sufficient records for SEA "fiscal audits and program evaluations." Also, the Chapter 1 regulations refer to the requirements of the Education Department General Administrative Regulations (EDGAR) concerning state audits. The relevant section of the EDGAR regulations, 34 C.F.R. 74.62 (1983), requires, among other things, that state audits:

- Be made on an organizationwide basis, rather than on a grant-by-grant basis;
- Be in accordance with the Comptroller General's Standard for Audit of Governmental Organizations, Programs, Activities and Functions, GAO's Guidelines for Financial and Compliance Audits of Federally Assisted Programs, OMB compliance supplements, and generally accepted auditing standards;

- Examine fiscal integrity, including compliance with "those provisions of Federal law or regulations that could have a material effect on the financial statements or on the awards tested;" and
- Usually be conducted annually, but not less frequently than every two years.

Chapter 1 also reduced the set-aside for state administration from 1.5% to 1% with a minimum amount for states with a small allocation.

State monitoring and auditing practices may change greatly under Chapter 1.

After Chapter 1 was enacted, but before it was clear that OMB Circular A-102 (the basis for the state auditing requirements in the EDGAR regulations) would be enforced for Chapter 1, the Study of State Management Practices conducted follow-up interviews in 20 states about specific auditing plans under Chapter 1. They found:

- 19 states would continue fiscal audits;
- 1 state was unsure whether fiscal audits would be continued;
- Only 6 states said they would continue program compliance audits; and
- The other 14 states either would not continue program compliance audits or were unsure if they would.

This study considered the changes 49 states would have to make to comply with the OMB Circular A-102 audit requirements applicable to Chapter 1. They found:

- As many as 44 states would have to shift from grant-by-grant auditing to the single audit (organizationwide) concept;
- 21 states would have to change from a three-year audit cycle to a two-year audit cycle; and
- 6 states would have to begin conducting program compliance audits.

Gentry's (1983) survey of state Chapter 1 Coordinators showed that 15 percent had reduced monitoring. Seventy percent indicated that state-level staff had decreased. It is plausible to conclude that the reduction in staff will make it difficult to improve upon the frequency or comprehensiveness of state monitoring efforts.

Interviews conducted for the present study indicated that less prescriptive regulations and more limited federal oversight, coupled with the reduction in funds for state administration, would impact on the frequency and scope of state monitoring and auditing. The state coordinator in State 3, for example, observed that:

The change to a single audit concept, in consort with reduced state resources for monitoring and district expectations of more flexibility under Chapter 1, may be resulting in some compliance slippage, especially in the area of use of program funds for general aid purposes.

The state coordinator in State 2 indicated that, under Chapter 1, the state plans to phase in, over the years, a less rigorous audit that will be organizationwide rather than program specific. He asserted that the state has received no guidance from the federal government as to what can be done.

Reports from State 1 indicated that monitoring visits were shorter, involved fewer people, and focused on fewer issues. There was an implication that monitoring was being traded-off for maintenance of technical assistance under the reduced budget. On the other hand, independent fiscal audits were still being performed annually, but kept on file, rather than sent to the state.

All those interviewed who commented on this topic expected that states would continue some form of monitoring and auditing under Chapter 1. We agree with these observations. Our review, however, suggests that there is considerable variation among states concerning the extent to which the Title I standards for state monitoring and auditing were institutionalized and that they were not institutionalized in many states. The new emphasis on organizationwide audits will probably diminish the attention paid to specific aspects of compliance with Chapter 1 legislation and regulations.

PROVIDING COMPARABLE SERVICES WITH STATE AND LOCAL FUNDS

The purpose of the comparability provision is to insure that state and local expenditures in Title I project areas are "comparable" to those in non-project area schools. Comparability complements and reinforces the supplement-not-supplant (see Chapter 4) requirement by insuring that the base funds (state and local) to be supplemented are roughly equal. Otherwise, Title I funds could be used to equalize expenditures in Title I schools and not to provide supplemental services.

Insuring that state and local expenditures in Title I project areas were comparable to those in non-project areas was a consistent operative goal throughout the Title I era.

The 1965 Title I regulations articulated a standard that later evolved into the comparability provision. The standard, included in the original supplement-not-supplant

regulations, was that districts could not "penalize" a Title I project area "in relation to the expenditure of state and local funds." The regulations expanded upon this in 1968 by explaining that:

> The failure to use State or local funds to provide a project area or to children residing therein services comparable to those services which have been, or are to be, generally provided to other areas or children will be deemed to constitute a penalization of that project area or of those children. (emphasis added)

To reinforce the supplement-not-supplant requirement, Congress amended Title I in 1970 to include the comparability provision. State and local funds had to be used for services in Title I project areas, which taken as a whole, were "at least comparable" to services provided in non-project areas. Congress also required annual district reports on the comparability of services between project and non-project schools.

The 1971 Title I regulations contained five criteria for demonstrating comparability. The regulations allowed a five percent leeway for each of the criteria. The number of criteria was reduced when these regulations were revised in 1973. The 1973 regulations required comparison of each Title I school to the average of non-Title I schools of corresponding grade spans in two areas: (1) the ratio of pupils to instructional staff members[2]; and (2) expenditures per pupil for instructional salaries, exclusive of longevity[3]. If a district was not comparable in either of these areas, then it had to demonstrate comparability in per pupil expenditures for instructional supplies and materials. Districts with noncomparable schools had to allocate or reallocate sufficient resources to be comparable. The regulations also established a reporting format and a reporting schedule.

When Congress enacted the "excess costs" provision in 1974, it also allowed districts to exclude from their comparability computations expenditures for "comparable state or local special programs for educationally deprived children". The 1976 regulations reflected exclusions for state compensatory education, bilingual education, and special education. These regulations essentially retained the two 1973 criteria concerning the ratio of pupils per instructional staff member and the per pupil expenditure for instructional salaries, exclusive of longevity. The third 1973 criterion

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[2] No Title I school could exceed 105% of the average for non-Title schools for this ratio.

[3] No Title I school could spend less than 95% of the average for non-Title I schools.

(per pupil expenditures for instructional materials and supplies) was replaced by a requirement that districts annually file with the SEA a statement of policies and procedures to assure comparability in textbooks, library resources, and other instructional materials and supplies. The 1976 regulations also included an enforcement provision for noncomparable districts.

A significant fraction of Title I districts, especially larger districts, did not comply with the early comparability requirements.

Browning and Costello (1974) found that among 80 of the nation's largest districts:

- 98% of the districts were noncomparable;
- In 56% of those districts that were noncomparable more than half of the Title I schools did not have comparable resources; and
- 58% of the noncomparable districts did not submit a required plan for achieving comparability (p. 32).

They also analysed required reports from states that identified all districts not in compliance by fall, 1973 and found:

- 11% of the 4,805 districts required to submit comparability reports by July 1, 1973, had not done so;
- 12% of the 4,264 districts that did submit comparability reports were noncomparable; and
- 25% of the 525 noncomparable districts either submitted inadequate revised reports or failed to submit revised reports (p. 33).

Their analysis of state forms from the 1973-74 school year showed some improvement:

- 6% of the 3,381 districts required to submit comparability reports had not done so;
- 5% of the 3,183 districts that did submit comparability reports were noncomparable; and
- 12% of the 161 noncomparable districts either submitted inadequate revised reports or failed to submit revised reports (p. 33-34).

Winslow (1979) classified states with comparability findings in compliance reviews during the time periods 1970-73 and 1974-76 according to four categories of SEA findings and three categories of district (LEA) findings:

(1) Noncomparable LEAs identified -- Federal reviewers identified LEAs as being out of compliance in the states reviewed.

(2) Improper inclusions to/exclusions from LEA comparability calculations --Certain kinds of staff or expenditures were not included in the calculations, or staff or expenditures were in that should have been excluded.

(3) Inadequate LEA data availability or management -- Needed information was missing, e.g., school level data, or source documentation was not maintained.

(4) Reports were not submitted on time -- Deadlines are set in the regulations and SEAs generally set earlier deadlines to allow for review of the reports.

(5) Inadequate SEA role in ensuring comparability -- The role is defined here as providing instructions, guidelines, and assistance and setting up procedures.

(6) No SEA verification of LEA data -- The SEA is to be sure that data making up comparability reports are accurate, generally through monitoring or auditing.

(7) SEA failure to disapprove noncomplying applications -- This is the only sanction available to the state if the LEA cannot or will not comply (pp. 49 and 51).

Exhibit 2-3 displays the number of states with compliance review comparability findings in these categories.

Winslow summarized his findings as follows:

> The findings suggest continued problems for both LEAs annd SEAs in implementing the comparability requirement. Instances of noncomparability still rank high enough to cause concern. Additionally, improper inclusions/exclusions and inadequate data may mask more serious problems. SEAs do not appear anxious to assume an active enforcement role in this area, particularly given the severity of the available sanction -- funding cut-offs. The problems in the comparability category are fundamental and simple solutions are not obvious (p. 104-105).

Combining these two studies, it seems as if the number of noncomplying districts was decreasing, but there were growing problems with the nature of the data to be used to assess compliance which may have obscured the degree of noncompliance. There may be a parallel here to the supplement-not-supplant area in which NIE felt that auditors were moving away from alleging inappropriate financial conduct to alleging inappropriate procedures. The equivalent shift in the comparability area would be to reduce findings of noncomparability while increasing findings of inadequate information.

EXHIBIT 2-3

THE NUMBER OF STATES WITH FINDINGS IN THE COMPARABILITY CATEGORY

	Number of States with Findings	
	1970-73	1974-76
LEA		
- Noncomparable LEA's indentified	14	10
- Improper inclusions to/exclusions from comparability	8	9
- Inadequate LEA data availability or management	3	11
- Reports not submitted on time	2	4
SEA		
- Inadequate SEA role in ensuring comparability	8	3
- No SEA verification of LEA data	4	11
- SEA failure to disapprove non-complying applications	1	6
- Total number of states with findings	17	21

N = 23

Source: Winslow (1979, p. 50)

In 1978 Congress tried to clarify the comparability requirement.

In 1978, Congress explained that the comparability requirement was a prohibition against fiscal discrimination designed to "assure equity in funding for Title I children" (H.R. Rep. No 95-1137, p. 31). This obligation required local educational agencies "to provide services in (Title I) project areas which, taken as a whole, are at least comparable to services being provided in areas" which were not receiving funds under Title I (Section 126(e) of Title I). To accomplish this, the regulations continued use of the criteria for comparability and, with certain exceptions, required an annual comparability report and reallocation of resources, if necessary, to ensure that Title I schools received comparable services. The 1978 Amendments continued to allow districts to exclude from comparability computations state and local funds for certain special programs, including compensatory education. These amendments also mandated a comprehensive study of the comparability area.

The goal of comparability was not institutionalized during the Title I era.

The mandated study of comparability (Ellman, et al, 1981) was designed to address questions concerning administrative burden, conflicts with state/local resource allocation policies, problems with comparability and alternatives to the existing comparability requirement. Responses from 405 districts contacted by telephone indicated that:

- 66 percent reported no problem with comparability;
- 23 percent reported conflict with state/local resource allocation policies;
- 7 percent reported administrative burden; and
- 4 percent reported both administrative burden and conflict with state/local resource allocation policies.

Forty-four districts were selected to participate in a study of alternative comparability requirements in which 34 districts tried alternatives while 10 operated under the existing requirement. No evidence was found to indicate excessive administrative burden under the existing requirement and the data did not support changing the comparability requirement. On the other hand, 75 percent of the districts perceived comparability requirements to conflict with state or local resource allocation policies. Only one of these districts, however, could substantiate this claim with a

concrete example. Generally, the reallocations of staff resources required by the law involved fewer than three staff members.

Data from the District Practices Study (Advanced Technology, 1983) tend to bear out these findings. Mail survey data indicate that only 8 percent of the Title I districts reported reallocating resources to meet the Title I standard; the remainder indicated that no reallocation had been necessary. Of the 100 representative districts that were site-visited, 19 noted that changes had been made to meet the comparability requirement. The most frequent change (made by 42 percent of these 19 districts) was to hire additional staff. The other changes were made by two or fewer districts.

The perceived burden of comparability varied greatly as a function of district size in The District Practices Study (Rezmovic and Keesling, 1982, p. 15). Large districts felt that comparability requirements were, by far, the most burdensome aspect of Title I. Because of their size there may have been a much greater burden of data collection on these districts. The large amount of Title I money involved in these districts may have increased attention to them from state and federal officials and may have increased anxieties, and, therefore, perceptions of burden. Districts of all sizes felt that comparability was not very necessary to the essential nature of Title I.

As with supplement-not-supplant provisions, The State Management Practices Study (Bessey, et al, 1982) found that some states did not audit compliance with comparability requirements. About 40 percent of the states did not include this area in their audits. Nearly 20 percent of the state coordinators identified comparability as a difficult area to monitor.

The District Practices Study, however, reported that 31 percent of districts said they had entered into a formal compliance agreement over comparability in the past three years. States rarely suspended Title I funds to enforce compliance, however. Only one percent of districts reported this consequence.

The large incidence of compliance agreements despite the low frequency of audits, suggests that the degree of institutionalization of the goal was low. The perception of burden, especially among larger districts, and the low ranking on necessity tends to reinforce this conclusion.

Chapter 1 has a more flexible comparability provision, relying more on assurances than mandatory reports.

Under Chapter 1, a district is deemed to have met the comparability requirement if it has filed with the SEA a written assurance that it has established (1) a districtwide salary schedule; (2) a policy to ensure equivalence among schools in teachers, administrators, and auxiliary personnel; and (3) a policy to insure equivalence among schools in the provision of curriculum materials and instructional supplies (Section 558 (c) (2) of Chapter 1).

Chapter 1 also indicates that "unpredictable changes" in student enrollment or personnel assignments which occur after the beginning of a school year are not to be included as a factor in determining comparability of services (Section 558 (c) (2) of Chapter 1). For purposes of determining compliance with the comparability requirement, Chapter 1 permits districts to exclude state and local funds expended for:

- State and local compensatory education programs which meet the requirements of Section 131 (c) of Title I;
- Bilingual education for children of limited English proficiency;
- Special education for handicapped children or children with specific learning disabilities; and
- Certain state phase-in programs as described in Section 131 (d) of Title I.

The Chapter 1 NonRegulatory Guidance indicates that:

- Chapter 1 does not require LEAs to file comparability reports and LEAs no longer have to demonstrate comparability on an annual basis;
- Any LEA that fails to comply with the comparability assurances will be in violation of the Chapter 1 statute;
- SEAs may develop their own standards for use in deciding whether an LEA's policy assures "equivalence" in resources among schools; and
- Chapter 1 does not require any specific method of verifying an LEA's compliance with the comparability requirement.

Comparability of state and local services will probably decrease under Chapter 1.

Before either the Chapter 1 regulations or the Chapter 1 Non-Regulatory Guidance was published, the District Practices Study asked Title I directors to assess the revised comparability criteria in Chapter 1. Fifty-eight percent reported they were "acceptable or posed no problem," while 24 percent said the revised criteria "seem to

provide relief from paperwork." But, one-fifth of the Directors reported that the revised comparability criteria "do not seem sufficient to ensure comparable resources between Title I and non-Title I schools."

Data from previous studies indicate that there have been substantial problems with implementation of the comparability requirement. Many states did not audit comparability. The elimination of required comparability reports and the low frequency of audits seems likely to lead to reduced compliance.

Gentry's (1983) Survey of State Chapter 1 Coordinators indicates that 70 percent have taken advantage of the flexibility of Chapter 1 to write new guidelines on comparability. The survey did not inquire about the nature of these guidelines, however. Gentry also found 15 percent of the Coordinators wanting further legislative relief from comparability requirements.

Interviews done for this study provide some information about the fate of comparability under Chapter 1. In State 2, for example, the state coordinator said that districts no longer have to calculate per-pupil expenditures for instructional salaries and State Chapter 1 guidelines have retained the pupil-teacher ratio requirement, but the permissible variance has been increased from 5% to 10%. This was corroborated by two districts in the state which indicated that they no longer computed per-pupil expenditures for instructional salaries.

The state coordinator in State 3, who noted the new "flexibility" in the Chapter 1 comparability provision, no longer requires that districts submit an annual comparability report. This coordinator mentioned that an audit finding in the late Title I years had forced the return of approximately half a million dollars for a comparability violation. He felt that this would constrain districts in his state from taking "too much liberty" with comparability under Chapter 1. A district coordinator in this state, however, said there was "much more flexibility" in comparability under Chapter 1. Consequently, each school no longer reported data for comparability. The district coordinator indicated that he plans to "occasionally look at pupil-teacher ratios" in all schools to "make sure they look comparable". He "may" do a spot check on per-pupil expenditures, but said he hasn't had enough time to do so yet. This district coordinator, who previously moved staff to Title I schools for comparability only because it was required by regulation, now doubts that any staffing changes like this will be made in the middle of the year.

A federal level respondent who was very knowledgeable about the comparability requirement considered it to be the most important provision and said, "If you can't get the state and local funding base comparable, the services won't be supplemental." He indicated that "now the goal is only rhetorical"; doubted that true comparability would be maintained under Chapter 1; and expected that comparability would be an area of "dramatic changes" under Chapter 1.

Based on our review of previous studies, changes in the comparability provision, and the limited interviews conducted for this study, it appears that comparability was not institutionalized, and will fall short of the original operative goal under Chapter 1.

SUMMARY: MOST OF THE OPERATIONAL GOALS CHANGED BY CHAPTER 1 WERE NOT SUFFICIENTLY INSTITUTIONALIZED TO BE RETAINED.

At the end of the Title I era the requirements associated with the goals of evaluation, parental involvement, comparability, and state monitoring and auditing were quite specific and made it relatively easy to determine whether or not districts and states were in compliance. In the last year of Title I (1981-1982) there was some evidence that districts had complied with the requirements representing the operational goals of evaluation and parental involvement. They were less in compliance with requirements regarding comparability. States were not in compliance with all the requirements regarding monitoring and auditing by this time.

The reduction in state administrative funds under Chapter 1 has resulted in a loss of state-level staff. Monitoring and auditing seem to be waning in importance: the focus is on fiscal issues more than program quality. It is too early to tell how districts will respond to the requirement for organizationwide audits.

Data from previous studies indicate that there have been substantial problems with implementation of the comparability requirement. Many states did not audit comparability. The elimination of required comparability reports and the low frequency of audits means that implementation of this goal will fall short of the standard set under Title I.

Districts generally complied with the requirement for parent advisory councils at the district and school levels. But districts had not accepted the councils as a vehicle for parental involvement. Title I Directors predicted that substantial proportions of the councils (especially at the school level) would be eliminated under Chapter 1. Since other studies had revealed that there were few opportunities outside the councils for

parents to become meaningfully involved in planning, implementing and evaluating programs, we conclude that widespread compliance with the requirement for councils did not mean that the goal had been institutionalized.

Subsequent to the onset of Chapter 1, it appears that councils are disappearing. District-level councils are being maintained to a greater extent than school-level councils, as a means of satisfying the Chapter 1 requirement for parent consultation. There is little evidence that other practices are arising to give parents opportunities to advise about program plans and implementation.

By the end of the Title I era, most districts were participating in the mandated Title I Evaluation and Reporting System. Evaluation was perceived as a necessary, if burdensome, component of the program. A substantial minority of districts found evaluations influenced decisions about their programs. In some districts, the evaluation report was viewed as essential information about program performance. As far as we could determine, most districts seem to be continuing to evaluate in much the same way they did under Title I. Of these goals that had been highly specified under Title I, and made much less specific under Chapter 1, evaluation seems to have been the most institutionalized.

CHAPTER 3

TITLE I OPERATIVE GOALS THAT WERE EXPECTED TO CHANGE GREATLY UNDER CHAPTER 1, BUT DID NOT

In this chapter we discuss two operative goals that were never defined very specifically in the Title I legislation and regulations: Targeting services to schools in low income attendance areas, and selecting educationally deprived students to receive services. Congress and federal program administrators never defined precisely the concepts of low income attendance areas or educationally deprived students. This permitted the districts a lot of flexibility in choosing the schools and students to be served.

When Chapter 1 was first enacted, the initial reaction was that these loosely defined concepts had become even more vaguely defined. Some felt that Chapter 1 funds might be applied to nearly any student in a district. Subsequently, however, revisions to the legislation have made it clear that Congress did not intend to change its previous definitions.

TARGETING SERVICES TO SCHOOLS IN LOW INCOME ATTENDANCE AREAS

Limiting services to attendance areas with high concentrations of children from low income families was a consistent goal of Title I policy.

Little change occurred in the Title I years in the legal provisions governing selection of school attendance areas. Policies first appeared in documents such as federal program guides and gradually became part of the statute and regulations. The 1978 version of the statute and the subsequently issued regulations codified most of these long-standing official policies.

The 1978 statute expressly required that school districts use Title I funds only in "school attendance areas having high concentrations of children from low income families" P.L. 95-561, Section 122(a)(1). The regulations interpreted the term "high" to mean average or above (46 F.R. 5167-5168, section 201.51, January 19, 1981). Legal provisions also required districts to rank attendance areas by poverty concentration using the "best available poverty measure," and to serve attendance areas in order, from highest to lowest.

This chapter was written by Daniel M. Schember and J. Ward Keesling.

The law and regulations, however, contained several exceptions to these requirements which had evolved over the years and which were designed to give school districts greater flexibility in selecting school attendance areas. First, school districts could rank attendance areas by grade span. A district desiring to limit its Title I program to grades K-6, for example, could choose to rank only the attendance areas with schools serving those grades. Secondary school attendance areas would not have to be considered, even if they had poverty rankings higher than all of the elementary school areas.

Second, in districts where there was "no wide variance" in poverty concentration among attendance areas, all areas could be served, including those below average.

Third, a school attendance area having a relatively high concentration of children from low-income families could be passed over, or "skipped," in favor of an attendance area having a "substantially greater" concentration of educationally deprived children (P.L. 95-561, section 122(a)(2)(A)).[1]

Fourth, a school attendance area initially ranked higher could be skipped if it was served by a state compensatory education program providing "services of the same nature and scope as would otherwise be provided" by Title I (PL 95-561, section 122(e)).

Title I included, as a fifth exception, a "grandfather clause" providing that an eligible school attendance area properly designated to receive Title I funds in one year could still be eligible in the next two years, even if it no longer had a high concentration of children from low income families (P.L. 95-561, section 122(c)). A sixth special school selection provision stated that a school not located in an eligible area, but nonetheless enrolling a high concentration of children from low income families, could be treated in the same manner as a school in an eligible attendance area (P.L. 95-561, section 122(b)).

Finally, section 122(a)(1) of the 1978 statute deemed eligible all attendance areas having a 25 percent or greater concentration of children from low income families, even if the 25 percent concentration was below the district average. This provision could be used, however, only if the total level of Title I and state compensatory education expenditures in Title I areas served the year before remained the same in those areas or was increased.

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[1] A district, however, could not use this exception to serve a total number of areas greater than the total number of areas that would be eligible if the only factor considered were concentration of children from low income families.

Title I programs were more often present in schools with high concentrations of students from poor families, but the proportion of served schools seemed large.

Winslow (1979) reported a decline in early compliance review findings of Title I funding for clearly ineligible schools, but noted that problems related to choice of data sources and procedures for selecting schools persisted into the middle 1970's:

> For the period of 1965-1969, the predominant problem was services given to schools in attendance areas that did not meet the eligibility criteria. During this period, the auditors found that schools served were in attendance areas that did not have low-income concentrations at least as high as the district-wide average....
>
> By the 1970-1973 time period, services in ineligible attendance areas was the least dominant (problem)....(P)rocedural problems entailed mainly the lack of uniform criteria or procedures for selection of attendance areas, and inadequate documentation of the process. Data problems entailed a lack of necessary data or the use of subjective data (e.g., teacher judgment about economic status) to make the determinations.
>
> For the period 1974-1976,...(D)ata problems reported were of three major types: use of outdated, inaccurate, or inconsistent data; use of improper or subjective data; and failure to weight various data sources. (pp. 21-23)

Hemenway, et al. (1978) reported that the three most-used criteria for determining the eligibility of schools were:

- The number of children receiving free or reduced-price lunches (used by 73 percent);
- AFDC (Aid to Families with dependent Children) counts (used by 57 percent); and
- Census data on family income (used by 42 percent).

The Department of Education concluded (1982, p. 12) that these practices permitted districts to offer Title I programs more often in schools with larger proportions of students from poor families. However, the same report indicates that nearly 70 percent of all schools with any grades between first and sixth received Title I funds, and that more than 90 percent of eligible schools were served. The NIE Compensatory Education Study (1978) explained the "very high proportion" of served schools in this way: "Districts appear to be using two or more criteria, and calling schools eligible if they fit any one.... (p. 78)".

Reviewing NIE's data in 1978, Congress concluded that the federal goal of targeted services remained unaccomplished:

> The NIE found that there are strong pressures at the local level to increase the numbers of schools being served, and that the goal of concentrating on the lowest income schools is not being effectively met (H.R. Rep. 1127, pp. 20-21).

The choice of poverty indicators was problematic in some districts.

Goettel and Orland (1977) noted the wide variation in ranking using different poverty measures and found selecting among them to be a "volatile political issue" in some districts that did not fund all eligible schools:

> Poverty indicators can vary markedly in their ability to accurately reflect the current poverty conditions of different population groups (Blacks, Hispanics, etc.), as well as in their availability and reliability. . . . representatives of schools serving predominantly Hispanic areas claim that heavy reliance on welfare data understates their need for Title I services, since "Hispanic citizens are less likely to apply to welfare than are Blacks." (Volume 5, pp. 91-92)

In some districts the flexibility of choice of indicator seems to have led to their being no consistent definition of the "best available measure" as stipulated in the 1981 regulations. If different measures produced different rankings, then there would be political pressures to fund as many schools as possible, so that no particular group would feel disproportionately under-funded.

Goettel and Orland did report, however, that most districts used one poverty indicator and all their eligible schools were given Title I funds. We speculate that in smaller districts the various choices of indicators may have yielded similar rankings, making it easy to separate eligible from ineligible schools.

The use of the no-wide variance exception and/or the 25 percent rule could explain some of the tendency to fund all eligible schools. The District Practices Study found that 28 percent of the districts used the former, while 14 percent invoked the latter. Winslow's findings of problems in data sources and selection procedures in the middle 1970's may indicate that districts did not use these exceptions properly, however.

The last major study of Title I, the District Practices Study, also found a tendency among school districts to choose poverty measures which render high proportions of schools eligible for Title I funds. Asked their objective in choosing data sources and school selection procedures, 58 percent of the districts answered, "service to as many schools or students as possible."[2] In addition, 28 percent of the districts stated that they experimented with different sources or procedures to determine which best served their purposes. One district illustrated this point quite clearly:

> From 1978 to 1981 this district used a combination of Aid to Families with Dependent Children and free and reduced-price lunch data. Then, when it appeared that continued reliance on these data sources would cause a school to lose eligibility, the district switched to exclusive use of free and reduced-price lunch data, which kept the school eligible (Gaffney and Schember, 1982, p. 20).

Districts would have preferred to rank attendance areas by achievement.

Because the regulations for Chapter 1 were not written at the time of the district Practices Study, and because the legislation appeared to open school attendance area selection to a wider variety of approaches, the study inquired what selection criteria Title I Directors would have preferred, if no requirement were imposed. There were large differences in these preferences related to size of district enrollment: Three-fourths of the small districts said they would use achievement data, as did half of the others (Advanced Technology, 1983, p. 3-18). However, only eight percent of all districts said they would use poverty data.

We speculate that districts wanted to serve all the students who were lagging in achievement, regardless of what schools they attended, and that some of the use of multiple poverty indicators and serving all eligible schools was motivated by this desire. The findings from all these studies are consistent with the conclusion that if districts limited Title I services to schools in high poverty areas, they did so because the law so required.

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[2] As we discuss more fully in Chapter 4, only 6% of these districts reported their objective to be concentration of services on a relatively small number of schools or students. Most of the remainder reported their objective as service to approximately the same number of schools served the previous year.

Chapter 1 has retained the goal of limiting federal compensatory services to school attendance areas having the "highest" concentrations of children from low income families.

The new legal framework for school selection is similar to that under Title I. The major change in the legislation, which would have permitted districts to "utilize part" of their Chapter 1 funds to serve students anywhere in the district, was repealed by the 1983 Technical Amendments. The District Practices Study found that 44 percent of Title I Directors would have maintained their then-current practices, and 60 percent agreed that the "utilize part" provision would have diluted services to students identified in the usual way.

Several aspects of Chapter 1 are less precise than under Title I. For example: "highest" concentration is not expressly defined to mean above average, the ranking requirement has been eliminated, as has the best measure requirement. The 25 percent rule is no longer qualified as it was under Title I, and the no-wide variance rule has been relaxed to allow greater variances.

Practices established during the Title I era will probably persist under Chapter 1.

The elimination of the "best-measure" requirement would appear to diminish the likelihood that consistent use of data sources will remain institutionalized in the future. But influences other than federal law must be considered. During interviews in State 2, for example, districts reported the SEA has become more vigilant in requiring rational choice and consistent use of school selection data sources. One district in this state perceived this heightened SEA concern as a loss under Chapter 1 flexibility allowed during the Title I years.

Such state influence aside, however, past studies indicate that desire to spread funds to as many schools as possible is pervasive, and legal changes under Chapter 1 provide opportunity to relax selection of only high poverty schools. However, only 10 percent of the districts surveyed in the District Practices Study said they would serve more schools or attendance areas if the Chapter 1 "highest concentrations" requirement were left to local interpretation, as it has been.[3]

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[3] The SEA in State 2, however, maintains that "highest" still means "above average."

Another implication of this finding, though, is that in the large majority of districts little change in school selection practices is to be expected. Nearly everyone we interviewed share this expectation, some attributing it directly to their belief that no significant change in the law has occurred.

Our interviewees differ greatly, however, in their interpretation of this common expectation. Some say it reflects wide-spread acceptance of federal targeting goals. Others maintain that limiting services to a portion of the schools eligible is a federal goal that was never institutionalized, and that the expected lack of change under Chapter 1 means perpetuation of service to nearly all eligible schools.

TARGETING SERVICES TO EDUCATIONALLY DEPRIVED STUDENTS

A consistent operative goal of federal policy under Title I was to limit services to educationally deprived students.

Since the enactment of Title I in 1965, limitation of service to the educationally deprived has been an express legal requirement. In the early years of the program, however, federal Title I administrators determined that Title I funds, if insufficient to serve all of a district's eligible children, should be concentrated on those in "greatest need." This concept soon became a regulatory requirement and was included directly in the last revision of the Title I statute (P.L. 9[illegible]61 Section 123(a)). Title I regulations defined "greatest need" to mean furthest behind in performance.

The "greatest need" requirement was modified, however, by several other policies which evolved over the Title I years. First, educationally deprived children selected under greatest need criteria in a previous year could continue in Title I programs although they had improved and were no longer among those furthest behind. Second, a Title I participant who transferred to a school with no Title I program could continue to receive Title I services for the remainder of the school year. Both of these policies were designed to promote program continuity and to sustain achievement gains.

A third Title I policy allowed districts to skip children in greatest need of assistance if they were receiving state compensatory services of the same nature and scope as those provided under Title I. A fourth Title I policy allowed students not educationally deprived to participate in Title I programs on an infrequent and incidental basis. Fifth, staff paid by Title I were allowed to perform their fair share of school non-instructional duties (such as hall or cafeteria monitoring), even though these services benefited the school in general, not just Title I program participants. Finally,

in very high poverty schools Title I allowed schoolwide projects. All six policies were codified in the last revisions of the Title I statute and regulations.

Additional policy issues evolved concerning the provision of Title I services to limited English proficient and handicapped students. Title I legal provisions concerning "handicapped" children underwent precipitous change following enactment of federal laws requiring expenditure of state and local funds to meet the needs of these students (Section 504 of the Rehabilitation Act of 1973 and P.L. 94-142, the Education for All Handicapped Children Act of 1975). These laws raised two competing concerns--first, that Title I funds not be diverted improperly to meet the new obligations on state and local resources, and, second, that efforts to demonstrate compliance with these laws not result in automatic exclusion of handicapped students from Title I services. Parallel concerns arose with respect to children with limited English proficiency after the Supreme Court's 1974 Lau v. Nichols decision interpreted Title VI of the Civil Rights Act of 1964 to require that state and local resources ensure "effective participation" of these students in the educational programs of school districts receiving federal funds.

The January 19, 1981 Title I regulations (changed to guidelines in March 1981) addressed these concerns in detail, and affirmed two basic principles: (1) Title I funds could not be used to provide the free appropriate education of handicapped students required to be provided by state and local resources; and (2) handicapped students could not automatically be excluded from Title I programs which could benefit them--these programs, however, must be supplemental to those state and local programs meeting minimum legal requirements. Similar principles were announced regarding children with limited English proficiency. Title I resources could not be used to ensure effective participation of these children in school, but they could support services supplemental to an adequate state and local effort. Children could not be excluded from Title I programs that could benefit them, merely on the basis of their language deficiency.

Student selection practices permitted services to students who were not educationally deprived.

Winslow's (1969) review of audit findings discovered several types of student selection problems:

> During 1965-1969, the most frequently cited problem was the use of low income or some other non-educational criteria to select students, in

> contravention of the program rules. During 1970-1973, the most frequent problems involved non-compliance with the greatest need rule, lack of (or non-adherence to) selection criteria and procedures, and use of improper criteria. During 1974-1976, the same three sub-categories are frequently cited....
>
> (T)he use of improper criteria for student selection...persists (p. 26).

Goettel and Orland (1977) found that state oversight of local compliance with the "greatest need" requirement "was generally weak," that "practices in the LEAs are directly related to their state's policy and level of commitment to this principle," and that, as a result, "nearly all districts visited contained schools in which factors other than 'most in need' were included in student selection." They concluded that "(R)egardless of the district approach, in most schools student selection procedures tended to be informal, more unsystematic than not, and highly idiosyncratic in accordance with prevelant values and needs in a particular school" (Goettel and Orland, 1977. pp. 98, 99, 102, and 103).

Data from national surveys of Title I practices have consistently shown that districts use both standardized tests and more subjective measures, such as teacher judgment, in selecting students for the Title I program. While there are ways to combine these assessments of need into a single index score from which the neediest students could be selected, the actual uses of both types of assessment are often not that systematic.

The Sustaining Effects Study offered evidence that use of subjective student selection measures has resulted in service to some students scoring above average on standardized tests. Breglio, Hinkley, and Beal (1978) calculated that 16 percent of the served students were in the upper half of the distribution on measures of prior achievement. The Department of Education (1982) used this estimate to conclude that there were "difficulties in targeting services in the neediest" (p. 14). The report noted, however, that this estimate was based on data from the 1976-77 school year, and was optimistic that the extensive training of state and local staff in methods of needs assessment and student selection procedures provided by the federally-sponsored Title I Technical Assistance Centers would rectify this problem. But, a subsequent report (Stonehill and Anderson, 1982) notes that "(I)t is difficult to assess how adequately local (student selection) procedures achieve the intent of the regulations due to differing definitions of educational deprivation and greatest need (p. III-4)."

The District Practices Study found that just under half the districts reported that, with rare exception, they use a firm test score cutoff criterion to select program

participants. But, over three-fifths of the districts reported that "teachers may decide that some students above the cutoff point need Title I services," and nearly three-fifths of the districts in this study reported that "teachers may decide that some students below the cutoff point do not need Title I services." One-fourth of the districts reported that a student's potential for success is a factor considered in the selection process.

Case studies performed during the District Practices Study revealed the variability and frequent intricacy of the student selection process. Some districts selected students initially by test score, then screened out some students based upon teacher judgment. Other districts reversed the process, selecting students initially by teacher judgment and serving only those who scored low on subsequent tests. One district reported teacher judgment could override test score, with the consequence that students scoring in the 60th or 70th percentile could be selected for the program. One district which relied more on teacher judgments than test scores reported two types of occasional problems: (1) teachers sending students to Title I solely because they had behavior problems; and (2) teachers selecting too many students in an effort to get more Title I resources for their school.

District practices regarding Title I participation of handicapped or limited-English proficient students varied greatly.

NIE (1977) found eight percent of all districts providing special education with Title I funds. The District Practices Study, five years later, found Title I funded special education in four percent of the nation's school districts. District policies in the latter year varied from exclusion of all handicapped students (the policy in 24 percent of the districts) to inclusion of all who met Title I eligibility criteria (as reported by 44 percent of the districts), with 32 percent of the districts describing a variety of conditions governing inclusion or exclusion of handicapped students.

The District Practices Study also found 23 percent of all districts had changed their Title I policies on participation of handicapped children. The study concluded that the 1981 regulations were at least partly responsible for these changes. Of those reporting a policy change, 38 percent stated they had begun to include handicapped students, with some districts noting they had just learned these students were eligible. Forty-four percent decreased services to handicapped students, with a few districts reporting they had just learned serving all handicapped students was not mandatory.

Regarding services to limited-English proficient students, NIE (1977) found that 10 percent of all districts provided services to these students with Title I funds, while the District Practices Study indicated that 41 percent did so. Five percent of the districts excluded these students from Title I entirely, while 15 percent excluded them under certain conditions. Most districts (67 percent) served these students if they also met Title I eligibility criteria applicable to all students.

Eighteen percent of the districts in the District Practices Study reported a change in their Title I policies regarding limited-English proficient students. Of these, 46 percent reported serving these students for the first time, 19 percent had increased services, and 31 percent had decreased services.

Past studies therefore suggest mixed conclusions regarding the institutionalization of Title I student selection goals. Through the middle 1970s Title I services were provided to a substantial number of students who were not educationally deprived. While the number of clear violations may have lessened, suggesting greater institutionalization of the basic federal goal, flexible, subjective, and poorly-documented student selection policies and practices may mask instances of service to ineligible students.

Federal policy regarding participation in Title I of handicapped and limited-English proficient students was finalized in the later years of the program, with little opportunity for institutionalization of the balanced approach required by federal law. At the end of the Title I era a substantial minority of districts reported practices directly inconsistent with this approach, though an equally substantial minority reported changing in their policies to conform to federal standards, partly in response to increased understanding of federal requirements.

Chapter 1 still limits services to students who are educationally deprived.

Chapter 1 requires that program participants include those in greatest need, but implies those not in greatest need may also be served (PL 98-211, Section 2(c), amending Section 556(b) of Chapter 1).

One provision in the first Chapter 1 statute that appeared to make a substantial change in the selection of students was the requirement that districts implement a procedures that "permits" selection of students in greatest need. This was broadly interpreted to mean that students who were not among those in greatest need might

also be served. The District Practices Study found that 37 percent of the districts surveyed would not have altered their selection policies, but 50 percent would have served other students under this interpretation. Nearly 80 percent of those indicating they would change, said they would serve other students they judged might benefit from the program. The so-called "permits" provision was repealed by Technical Amendments in 1983.

Chapter 1 does not expressly define "in greatest need" as "furthest behind". Considerable local discretion is contemplated; the Senate report on the Technical Amendments states Congress' intent "not (to) disturb the ECIA policy of leaving to the local educational agency how best to reasonably determine who these 'greatest needs' children are" (S. Rep. 98-166, 1983, p. 8).

The Chapter 1 legal framework does not discuss provision of Chapter 1 services to handicapped or other special need students. The laws which require the balanced approach discussed above, however, remain in effect.

Chapter 1's limitation of services to educationally deprived children suggests that Title I practices will continue.

Most of those we interviewed for the present study believe this goal had been embedded in school district policies and practice, even if the practices did not fully meet the letter or spirit of Title I statutes and regulations.

Chapter 1's relaxation of the greatest need requirement, however, and the Senate report's emphasis on local discretion, may diminish efforts to provide services only to students furthest behind. A Chapter 1 director in State 1 asked, "Is the student who is in Chapter 1 and scores in the first stanine year after year really the child with the greatest need? This child is doing his or her best. Some other child might actually show greater progress relative to the norm. Doesn't that child have a greater need for the services?" Whether substantial numbers of districts share this belief, and will adjust student selection policies accordingly, remains unknown.

Equally uncertain is the impact of Chapter 1's silence on participation of handicapped or other special need children. Awareness of federal policy on this relatively complex subject is less than universal among districts, and among those aware of the policy, understanding is not always complete.

SUMMARY: THESE IMPRECISELY DEFINED OPERATIONAL GOALS WERE INSTITUTIONALIZED TO SOME DEGREE.

From the outset of Title I, Congress intended that services be provided to attendance areas with high concentrations of children from low income families. But, the definition of such attendance areas was not specified and districts had to choose among several alternative indicators of relative wealth. These indicators could tend to favor different groups within large districts, which led to various schemes to combine the indicators. In conjunction with pressures to provide the services in as many schools as possible, districts often used multiple indicators as a way to declare more schools eligible, and then provided services in nearly all the eligible schools.

Only 10 percent of district directors said they would serve more schools under the Chapter 1 legislation, which continues the goal of choosing schools by relative poverty. There was little expectation that school targeting practices would change under Chapter 1, meaning that most eligible schools will receive services.

Targeting services to educationally deprived students was a consistent goal of the Title I program.. But, educational deprivation was never clearly defined. As a consequence, there were problems with the practices implemented to achieve this goal.

Student selection practices permitted services to students who were not educationally deprived. Nearly one-sixth of the served students were in the upper half of the distribution of achievement test scores. District practices regarding Title I participation of handicapped or limited-English proficient students varied greatly. Some districts excluded handicapped students, while others served them all.

The federal policies regarding services to handicapped and limited-English proficient students were developed late in the Title I era and would not have had time to become institutionalized. However practices regarding the selection of students "in greatest need" did seem to have become institutionalized. Even if they did not fully meet the letter or spirit of Title I statutes and regulations, they do indicate a degree of institutionalization of the goal.

District-level administrators regarded both of these operative goals as very necessary components of the Title I program. Although the evidence suggests that the practices they put into place fell short of meeting the goals, there is little evidence that they are changing those practices under Chapter 1.

CHAPTER 4

TITLE I OPERATIVE GOALS THAT CHAPTER 1 DID NOT CHANGE GREATLY

In this chapter we examine operative goals that were not changed greatly by Chapter 1: Serving students attending nonpublic schools; providing supplementary, not supplanting services; and providing concentrated services. Because these goals were not changed radically by Chapter 1, it is difficult to determine whether the practices that continue from Title I result from the press to comply with the law, institutionalization of the underlying goal, or simple inertia.

SERVICES TO STUDENTS ATTENDING NONPUBLIC SCHOOLS

One of the legislative strategies instrumental in the successful enactment of Title I in 1965 was a compromise position on whether and how private school students should be served. The compromise strategy (often referred to as the "child benefit theory") provided that educationally deprived children were the intended recipients of program services irrespective of whether they attended public or private schools. However, public school officials were to maintain control of the funds for the Title I program and had full responsibility for exercising administrative direction over all property and equipment purchased with program funds.

Key aspects of nonpublic services were not defined in the early years of Title I.

While this compromise facilitated the passage of Title I, it left unresolved several key issues for ensuring that congressional intent regarding the participation of private school students in Title I projects was achieved. Such issues included: What types of services were to be provided? What role were private school officials and parents to play in the planning, implementation and evaluation of Title I projects? What recourse did federal or nonpublic officials have if districts refused or were unable to provide Title I services to nonpublic students?

This chapter was written by Michael J. Gaffney, Richard Jung, Daniel M. Schember and J. Ward Keesling.

The U.S. Office of Education (USOE) indicated in Program Guide #44 that in districts where the needs of eligible schools differed from those of public school participants, the services could also differ. This document also first formalized the general standard that services received by private school students must be "comparable in quality, scope, and opportunity for participation" to those received by public school participants. These guidelines also stipulated that private school staff and parents should be involved in the "early stages of program planning and in discussions concerning the needs of children in the various eligible attendance areas."

Winslow (1979) found that Health, Education and Welfare Audit Agency (HEWAA) auditors paid "little attention" to monitoring compliance with the aspects of the Title I requirements pertaining to the participation of private school children prior to the 1970's. Thus, we can not be sure of the extent to which this operative goal was implemented during this period. The lack of precision in the law probably led to considerable variation in practices, however.

Prior to 1978 many standards for services to nonpublic students were promulgated.

By the mid 1970's other standards were written into Title I regulations. The 1974 regulations established the requirement that eligible children attending private schools "shall be provided genuine opportunities to participate . . . consistent with the number of such . . . children and the extent of their educational deprivation" (Section 116.19(a), 1974). The 1974 ESEA Amendments (P.L. 93-380) for the first time authorized the U.S. Commissioner of Education to circumvent the public agencies and provide program services directly to eligible private school students, after determining that a state or district was prohibited from serving such children or had substantially failed to provide such services. The regulations that formalized the specific criteria and other procedures used by the Commissioner when invoking this by-pass authority went into effect two years later, in 1976. By this time HEWAA had determined that several states (Illinois, Kentucky, Missouri, Oklahoma, and Wisconsin) had laws or legal interpretations prohibiting full opportunity for eligible Title I students in private schools (Winslow, 1979, pp. 111-13).

In the early to middle 1970's the HEWAA reviews documented general problems with the working relations between public and private school officials in providing Title I services to private school students: failing to identify and select nonpublic students for participation, and failing to provide comparable program services. Although there were few instances of complete lack of services provided to nonpublic students,

Winslow (1979) concluded that the degree of noncompliance described above and problems with state laws prescribing such services were "serious enough to justify invoking the bypass authority" in several states. He also attributed some of the difficuties to the "complicated and unclear" federal rules concerning nonpublic participation.

Legislative staff and federal program administrators interviewed for the current study, and who had knowledge of this area, generally agreed that this was one operative goal of the program which had not been fully institutionalized in many districts by the middle 1970's. Lack of understanding of what was required and lack of rigorous monitoring contributed to less than full compliance, in their opinion. One staff member stated, "Once private school officials were educated to know what they had to do to get fair treatment, they began pressing LEAs to do the right thing for private school students." This suggests that institutionalization might have occurred in districts with knowledgeable private school officials -- institutionalization of this operative goal being a function of the private schools rather than the public schools.

Amendments to Title I in 1978 finalized the operative goal, which was carried unchanged into Chapter 1.

The 1978 Amendments to Title I included new provisions to address the possibility that students in nonpublic schools were not receiving their fair share of program services. Chapter 1 of the Education Consolidation and Improvement Act (ECIA) contains nearly identical provisions to those in the 1978 Amendments for serving nonpublic students.

Both laws require that, within a district, educationally deprived children who attend nonpublic schools and who live in a Title I/Chapter 1 project area should have the same opportunity to receive federally funded compensatory education services as their public school counterparts, even if such children are attending nonpublic schools outside the project area. Both laws also prescribe that, within a district, expenditures from these programs "shall be equal" for public and nonpublic school students, "taking into account the number of such children to be served and the special educational needs of such children" (Section 130(a) of Title I and Section 557 (a) of Chapter 1). Finally, both laws stipulate that, if a state or district is prohibited by law or other rulings from serving eligible nonpublic students in the program or has substantially failed to provide such services, the U.S. Secretary of Education may invoke bypass procedures after consultation with appropriate public and nonpublc officials.

Title I and Chapter 1 regulations stipulate that: (1) program funds are to be used to meet the special educational needs of educationally deprived children in nonpublic schools rather than as general aid in these schools; (2) in conducting the annual needs assessment, a school district must take into account the needs of eligible students in nonpublic schools; and (3) the public school district should exercise administrative direction and control of the program's funds and property for nonpublic students (Section 201.80-201,82 of Title I regulations and Subpart F of 34 CFR Part 76; Sections 200.70-200.75 of Chapter 1 regulations).

The state and local officials we interviewed generally indicated that nonpublic school students were treated more equitably during the latter part of the 1970's in most districts. Two of the three state directors attributed this reported improvement to clearer federal signals about some aspects of nonpublic participation, although confusion persisted in some districts about whether services for nonpublic students had to be identical to those provided to public school students. The other state director believed that pressures from organizations and individuals representing Catholic and other nonpublic students resulted in increased participation in Title I.

Five of the nine local districts whose directors we interviewed for this study served nonpublic students. Four of these directors reported expanded or improved services to private school students since 1974. One indicated that fully equitable services were provided since the inception of Title I.

Of those that expanded or improved services, one indicated that services were initiated at the request of a Catholic school. Two indicated that state-level actions, including monitoring and technical assistance accounted for the changes in their districts. The last noted that a locally developed approach for serving nonpublic students coming from several districts was the key to providing better and more consistent services.

Rates of participation by students in nonpublic schools do not indicate a pattern of institutionalization.

Information about the percentage of districts providing Title I services to students in nonpublic schools could provide some indication of the degree to which this operational goal has been institutionalized. However, the data available from the different national studies are not strictly comparable, and may be misleading.

The National Institute of Education's Compensatory Education Study reported that 43 percent of districts receiving Title I that had nonpublic students residing anywhere in their attendance areas provided services to such students. The Sustaining Effects Study, collecting data in the same time frame, found that 54 percent of the districts it studied that received Title I funds were providing Title I services to nonpublic schools (Hemenway, et al., 1978, p. 174). The question posed in this study did not make the response conditional on the presence of nonpublic students in the district. Since some districts may not have had such students, the rate of providing Title I services could exceed the reported 54 percent. On the other hand, the sample receiving Title I funds was not considered to be a probability sample, and the results for this question were not weighted to represent a national projection. If such weighting could have been performed, the reported percentage could have been different. Finally, the District Practices Study (Advanced Technology, 1983) found that 56 percent of districts with nonpublic students residing in Title I-eligible attendance areas provided services to such students (Advanced Technology, 1983, p. 9-10). This modest percentage does not support an inference that services to nonpublic students had become institutionalized.

Annual program reports the states submit to the Department of Education provide the only source of national,longitudinal data on the participation levels of nonpublic school students in both the Title I and Chapter 1 programs. Exhibit 4-1 shows that while the percent of program participants in nonpublic schools remained relatively constant, at approximately 3.8 percent, between 1976 and 1983, distinctly different patterns are observed in the early and late halves of this eight-year period.

In the first half of this period the numbers of both public and private school students served by the program increased: in the second half they decreased. However, the most notable feature of the data is that in the expansion period (1976-1980) the increase in numbers of nonpublic school students served was considerably smaller than that reported for public school students (11 percent for public school students versus 1 percent for nonpublic school students). These findings are similar to those reported by Jung (1982, p. 9), after adjustments for the overall decrease in public and nonpublic enrollments during this period.

During the latter part of the 1970's and the early 1980's total participation in the Title I/Chapter 1 program began to decline in response to budget reactions and other factors. During this time the number of nonpublic students participating in the program

EXHIBIT 4-1

PUBLIC AND NONPUBLIC PARTICIPANTS IN TITLE I AND CHAPTER 1 PROGRAMS

YEAR	PROGRAM	PUBLIC SCHOOL STUDENTS SERVED	NONPUBLIC SCHOOL STUDENTS SERVED	PERCENT NON PUBLIC
1976-77	Title I	4,692,000	186,000	3.8%
1979-80	Title I	5,198,000	188,000	3.5%
1982-83*	Chapter 1	4,567,000	179,000	3.8%
Percent change from 1976-77 to 1979-80		+10.8%	+1.3%	
Percent change from 1979-80 to 1982-83		-12.1%	-4.8%	
Percent change from 1976-77 to 1982-83		-2.7%	-3.5%	

Sources: 1976-7 - U.S. Department of Education, "1977 Performance Reports." These data include Guam, the Virgin Islands, American Samoa and other trust territories, while the other figures do not.

1979-80 and 1982-83 - U.S. Department of Education, "ECIA Chapter 1 Grants to Local Education Agencies: A Summary of the 1982-83 State Reports." Draft report, September 1984. (1981-82 data were used to estimate 1982-83 data for Michigan)

only decreased by 5 percent, compared to a 12 percent decline in public school participants. However, the state data show considerable variation. Much of the lower rate of decline can be attributed to three states with large nonpublic enrollments that also had very large increases in nonpublic participation in Title I/Chapter 1: California (43 percent increase), New York (40 percent increase), and Texas (26 percent increase). On the other hand, 19 states reported declines of 25 percent or more in nonpublic school participation over this four year period. Only 11 of these 19 states reported comparable declines for public school students.

Since Chapter 1 did not relax the federal requirements regarding services to nonpublic students, the lower rate of decline in numbers of nonpublic students receiving Title I/Chapter 1 services might be seen as an indication that this operating goal has been institutionalized to some extent. But the simple provision of services is not a complete test of institutionalization. The comparability of the services provided to both types of students could also be examined. However, several factors conspire to make such comparisons uninformative regarding institutionalization.

It is not possible to ascertain whether nonpublic services are more or less comparable under Chapter 1 than they were under Title I.

Both the Title I and Chapter 1 laws specify that services to nonpublic students should be comparable to those received by their public school peers within the district. Thus, even if it could be demonstrated that services became more comparable over time and had stayed so after the inception of Chapter 1, this would be as much an indication of the similarity of the legislation as an indication that Title I practices had been institutionalized.

Furthermore, there are no adequate national studies of the within-district comparability of services prior to the 1981-82 school year. A report from a study sponsored under the NIE Compensatory Education Study (Vitullo-Martin, 1977) concluded that overall Title I services for nonpublic school students were inferior to those received by public school students, but did not examine within-district comparisons. The Sustaining Effects Study included questions on services provided to nonpublic students in the Title I program, and found that like their public school peers, nonpublic participants in Title I generally received supplementary instruction in reading and/or math during normal school hours (Hemenway, et al., 1978, pp. 174-175). However, this study did not address the comparability of services in terms of such indicators of quality as the hours of instruction, the experience levels of the staff, or pupil-teacher ratios.

The District Practices Study did collect data reflecting on the within-district comparability of services. Of 100 districts studied in some depth, 47 offered services to nonpublic students. Interviews and documentary data collected in these districts indicated that:

- Nonpublic students received one-third less Title I instruction than public school students;
- Title I classes in nonpublic schools were one-third smaller than public school Title I classes, but the pupil-teacher ratio was about 4 to 1 in both settings; and
- Title I instructors in both public and nonpublic settings had about five years of teaching experience, on average (Advanced Technology, 1983, p. 9-2).

These findings indicate a higher degree of comparability than reported in the NIE substudy, but the considerable differences in methodology preclude precise cross-time comparisons. Of course, there has been no national study of the comparability of public and nonpublic services since the inception of Chapter 1, so we do not know whether comparability of services has been affected by the new (but essentially unchanged) legislation. In the limited sample for the present study, we found five districts that provided services to nonpublic students. None of the Title I directors in these districts felt that the Chapter 1 legislation and regulations had changed any aspect of the requirements for services to nonpublic students.

Modest levels of nonpublic participation will persist under Chapter 1.

Longitudinal data on the provision of Title I/Chapter 1 services to students in nonpublic schools faintly suggests that this operational goal was institutionalized during the Title I era. These data are not very satisfying because they do not address the question of whether the services for nonpublic students are comparable in nature to those provided for students in public schools. Unfortunately, there are no adequate, nationally representative data addressing this concern over the time span of interest.

If the locus of institutionalization of this operational goal is the nonpublic agencies, then it might be expected that they will continue to request services under Chapter 1. The public school districts themselves may be responsive to those requests only so long as the legislation makes clear that such services are still an operational goal. As a former director of the NIE Compensatory Education Study put it, echoing the views of most of the legislative staff and federal program administrators we interviewed, "Federal signals continue to be needed to ensure that that which has been accorded to nonpublic students under Title I continues under Chapter 1."

PROVIDING SUPPLEMENTAL, RATHER THAN SUBSTITUTED SERVICES

Providing supplemental services has been a consistent operative goal of Title I since 1965.

The Congressional Declaration of Policy stated that Title I funds were "...to **expand** and improve...educational programs... (by) meeting the special educational needs of educationally deprived children (Section 101 of Title I, emphasis added)." The 1968 regulations (45 CFR Section 116.17(h)) contained several standards for determining compliance with the provision. These regulations prohibited districts from discriminating against project areas (school level) and against participating children (intraschool). The standards were as follows:

(1) The use of Title I funds may not result in a decrease in the use for educationally deprived children in the level of state and local funds, which, in the absence of Title I funds, would be made available for such children in Title I project areas;

(2) Title I funds will be used to supplement, and to the extent practical, increase the level of state and local funds that would be made available but for the existence of Title I; and

(3) Neither project areas nor educationally deprived children residing therein may be penalized in the application of state and local funds because of the existence of Title I.[1]

Data presented by Winslow (1979) indicates that several states had compliance review "findings" related to using funds to supplant rather than supplement in the period between 1965 and 1969. (These data are tabulated in Exhibit 4-2 and will be discussed more fully subsequently.)

In 1970 Congress added a supplement-not-supplant provision to the Title I statute. That provision indicated that Title I funds must be used to supplement, not supplant the level of state and local funds that would be made available for the education of program participants, but for the existence of Title I.

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[1] Early guidelines also included statements of the basic standards. Program Guide 45A, for example, indicated that SEA's should be alert to curtailing state and local expenditures for services in Title I areas and substituting Title I funds to maintain those same services in Title I areas (the "curtailment of services" test.)

When the Title I regulations were amended in 1971, they included both the previous supplement-not-supplant standards and a new "ordinarily provided" concept of supplement-not-supplant. This "ordinarily provided" standard indicated that Title I funds could not be used to provide services that were ordinarily provided with state and local funds to children in non-Title I project area schools.

Data presented by Winslow (1979), Exhibit 4-2, shows persisting problems with meeting these legal requirements. To strengthen the supplement-not-supplant provision, Congress, in 1974, enacted the "excess costs" requirement that had first appeared in Program Guide 44 in 1968. The purpose of this requirement was to insure that Title I funds could only be used to pay for the excess costs or supplemental aspects of the program.

Although the amended Title I regulations of 1974 were virtually identical to the 1968 regulations regarding the supplement-not-supplant provision, they still did not contain operational criteria to assist districts in interpreting or implementing these provisions. There was uncertainty in many states and districts about allowable practices, particularly in the program design area of pull-out and in-class approaches to providing supplemental instructional services.

The situation grew more complex with the advent of mandated services for special education, and limited-English proficient students (see Chapter 3 of this report), as well as minimum competency testing programs which required remedial services. Problems arose concerning the use of Title I funds to pay for services required by law when the services would have been provided with state and local funds if Title I did not exist. The 1976 regulations included a new provision to address such problems. The new provision presumed that, where a district was required by statutes or court order to provide certain services, those services would have been provided if Title I did not exist (41 F.R. 42896, September 28, 1976.) The new provision, 45 C.F.R Section 116.40(b) (1977), stated:

> Title I funds shall not be used to provide services which the applicant agency is required to provide by State law or pursuant to a formal determination under Title VI of the Civil Rights Act, Title IX of the Education Amendments of 1972 (Pub.L. 92-318), or section 504 of the Vocational Rehabilitation Act of 1973, as amended, or pursuant to a final order of a court.

The 1976 regulations also addressed the growing problems of how to apply the supplement-not-supplant provision where state and local compensatory education funds were "designated and available" to pay for part of a compensatory education program.

EXHIBIT 4-2

STATES WITH FINDINGS IN THE "NO-SUPPLANTING" CATEGORY, BY TIME PERIOD

Subcategory	Number of States with Findings		
	1965-69	1970-73	1974-76
1. Title I assumption	6	4	5
2. Interschool Title I substitution	5	8	2
3. Intraschool Title I substitution	6	3	7
4. Extension of Title I activities	4	4	-
5. Title I for normal LEA costs	5	4	2
Total number of states with findings	11	14	11

Source: Winslow, 1974.

The regulations indicated that where state and local compensatory education funds were "designated and available" for a particular service, they had to be used for that service. Title I funds could only be used to provide other services or to supplement the state and locally funded compensatory education services. (45 C.F.R. Section 116.41(c) (1977).

Prior to the 1978 amendments, the supplement-not-supplant provision was not well understood.

Winslow (1979) examined federal audits and program reviews for evidence of supplanting violations across three time periods: 1965-1969, 1970-1973, and 1974-1976. All of the audits and program reviews analyzed by Winslow were prepared before the 1976 Title I regulations, which amended the supplement-not-supplant regulation to include provisions concerning services "required by law" and state and local compensatory education services. Violations of these provisions would not have been noted in these audits.

Winslow developed five categories of supplanting findings:

(1) Title I assumption--The transfer of formerly locally funded staff or activities to the Title I program.

(2) Interschool Title I substitution--The use of Title I funds for staff or activities in target schools which state/local funds pay for in non-target schools, e.g., learning centers, nurses, counselors, regular teachers.

(3) Intraschool Title I activities--The use of Title I funds for activities within target schools which state or local resources have paid or do pay on behalf of nonparticipants (e.g., class-size reduction projects) and Title I classes substituted for regular classes.

(4) Extension of Title I activities--Here, the problem occurs not when some existing local activity is cut back in target schools, but when local activity is increased in nontarget schools, thus increasing the LEA's responsibility to target schools.

(5) Title I for normal LEA costs--Use of Title I funds for operation and maintenance, general administration, and other things required to support the Title I program, which the LEA normally provides, would provide in the absence of Title I, or should provide with local monies. (p. 57)

Winslow's tabulation of findings during the three time periods is reproduced in our Exhibit 4-2. Two considerations must be borne in mind when interpreting these data, however. First, the data do not concern the number of supplanting findings alleged in

audit reports and program reviews. The data, drawn from a sample of 20 states, focus on the number of states, not the number of district supplanting findings.

Second, Winslow does not refer to NIE's 1977 report, Administration of Compensatory Education, that asserted that, beginning in the fall of 1975, conflicts within USOE over enforcing the supplement-not-supplant affected the number of supplanting allegations reported in federal program review letters, and that federal auditors were either shifting priorities away from Title I or substituting procedural findings for financial findings. This shift may account for some of the changing patterns of allegations from the 1970-73 to 1974-76 periods.

Winslow summarized his findings as follows:

> Problems in the no-supplanting category persist. The absence of clear criteria for achieving and maintaining compliance with this rule has been a major factor. The category rankings did not substantially change over the three periods, but within some categories the types of violations reported seem to have been less blatant over time. Issues today are less at the level of general system/school problems and much more children-, staff-, and class-particular in nature. The rise of pull-out project designs appears to have played a major role in reducing the scope of violations, while raising new issues regarding the relationship of Title I activities to those of the general program. Also, issues involving areas where Title I overlaps with other state or Federal categorical programs and civil rights or program mandates (services required by law) are emerging. (p. 97)

Goettel and Orland (1977) identified "understanding what constitutes supplementary services and the avoidance of general aid" as one of the two "most problematic local compliance issues" (p. 86) (selection of students with the greatest need was the other problem area). They also found that the supplement-not-supplant and general aid provisions were among those most difficult for states to monitor at the school level. Goettel and Orland reported that there were two major problems in the area of supplanting/general aid:

> (1) Title I services were provided to non-Title I as well as to Title I students; and
>
> (2) Title I services were provided in areas in which district resources should have been used (p. 106).

They summarized their findings in these areas as follows:

> Local policies and procedures relating to supplanting and general aid were among the least uniform across the districts studied. Once again, local difficulties appear to be a function of confusion, indifference or antipathy toward some of the more complex Title I regulatory requirements in these areas. (p. 165)

Part of NIE's 1977 report, Administration of Compensatory Education, examined federal management focused on ensuring the supplementary nature of Title I. The report stated:

> A recent analysis of audit exceptions in 19 states showed that, in those states alone, almost $40 million in violations of the requirements governing supplementation had been identified (p. 24).[2]

The bulk of the NIE review of federal enforcement of the supplement-not-supplant provision (through federal audits and program reviews) concerned conflict within the U.S. Office of Education, including:

> disagreements over which indicators should be used to monitor compliance with the supplementary intent of the program, disagreements over whether expenditures should be monitored at the school level or at the student level, and disagreements over the kind of evidence sufficient to allege a violation (p. 29).

The NIE report asserted that this disupute had affected federal program review findings about the supplement-not-supplant requirement; that begining in 1975 certain officials "began to challenge, tone down, and even remove... monitoring findings on supplanting from Review Letters sent to the States"; and that there had been a "marked decline in the reporting of supplanting" since the fall of 1975. (p. 41) In support of this assertion, NIE provided data on the number of supplanting allegations reported in program review letters from FY 1971 to FY 1977. These data, however, do not indicate the type of supplanting problem, as Exhibit 4-3 indicates.

Congress clarified the supplement-not-supplant provision in the 1978 re-authorization, and in subsequent regulations.

In 1978 Congress addressed the continuing problems in applying the supplement-not-supplant requirement to the areas of program design and state and local compensatory education programs. In the legislative history of the 1978 Amendments Congress (1) discussed the lack of clarity and comprehensiveness in the supplanting regulations; (2) stated that Title I did not require a particular type of program design; and (3) directed that the new Title I regulations contain "legal non-supplanting models and include examples explaining how the general principles apply to day-to-day situations" (H.R. Rep. 95-1137, 1978, p. 29.)

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[2] Citing H. Winslow and A. Hershberger, Supplement Not Supplant: A Note on the Definition and Use of Title I Requirement. (Palo Alto, California: Education Policy Research Center, Stanford Research Institute,, May 1977) draft, p. 17.

EXHIBIT 4-3

NIE DATA CONCERNING SUPPLANTING ALLEGATIONS REPORTED IN PROGRAM REVIEW LETTERS, BY NUMBER

Fiscal Year	Supplanting Allegations
1971	198
1972	346
1973	80
1974	32
1975	64
1976	9
1977	11

Source: NIE, Administration of Compensatory Education, 1977.

In 1978 Congress also enacted a special supplement-not-supplant requirement applicable to certain state programs, such as state or local compensatory education programs (Section 126(d) of Title I). The difference between the regular and special supplement-not-supplant provisions was that the former required federal funds to supplement "regular non-federal" funds provided to Title I program participants (Section 126(c) of Title I) while the latter required federal funds to supplement "special" state and local funds provided "for the education of educationally deprived children, in the aggregate, in eligible school attendance areas or attending eligible schools" As Congress explained the difference between the two provisions:

> (T)he purpose of the supplanting provision with respect to the distribution of regular base state and local funds is to insure that children participating in Title I programs receive their fair share of such base funds. The purpose of the supplanting provision with respect to special state and local funds is to insure that educationally deprived children residing in Title I eligible areas qualifying for such funds, receive their fair share. (H.R. Rep. No. 95-1137, 1978, p. 30)

To enhance coordination of services, Congress decided to exempt from the excess costs requirement those state and local compensatory funds subject to the special supplement-not-supplant requirement (Section 131 of Title I). Congress also exempted certain well-funded state compensatory education programs from the supplement-not-supplant requirement (Section 132 of Title I).

The January, 1981 Title I regulations reflected the regular supplement-not-supplant principles in program design models classified under: "Excess Costs: Instructional Services" (46 F.R. 5136, 5146, Section 200.94, January 19, 1981). These regulations described six categories of program design models (in-class, limited pull-out, extended pull-out, replacement, add-on, and "other") and, where appropriate, specified the circumstances under which districts had to contribute state or locally funded instructional time to the Title I project so that participants would get supplemental, not substituted, services.[3]

The January 1981 regulations also described the application of the new special supplement-not-supplant provision to state and local compensatory education programs. And they set forth more detailed provisions concerning the use of Title I funds to provide supplemental services in situations where other special services were already

[3] These provisions of the regulations were changed to guidelines in March 1981 (46 F.R. 18976, March 27, 1981).

required by law, e.g., special education, limited-English proficient students, and mandated remedial services for minimum competency testing programs. The basic concept of the "required by law" provisions was that Title I could pay for supplemental services on top of these mandated special services, but Title I could not pay for the special services which districts were already legally required to provide from state and local funds.

Despite Congressional clarifications, there was still some confusion about the supplement-not-supplant provisions of Title I.

NIE's report on the administration of compensatory education (1977) had noted some changes in monitoring and auditing practices regarding supplement-not-supplant provisions. The Study of State Management Practices (Bessey, et al, 1982) found that 35 percent of states did not audit supplement-not-supplant practices. Data from the District Practices Study (Advanced Technology, 1983) indicates that 21 percent of the districts reported that state officials had not examined the implementation of supplement-not-supplant provisions on their last monitoring visit.

In addition to this shortfall in monitoring and auditing, 26 percent of the state Title I coordinators reported problems with monitoring these provisions and 13 percent of state coordinators thought these were "major" problems (Bessey, et al, 1982). These problems had to do with the nature and extent of information that was needed to determine whether the requirements were being met. This confusion, in combination with the shortfall in auditing and monitoring, probably means that estimates of the incidence of implementation difficulties during this period are too low.

Interview data from the District Practices Study show that 28% of the Title I Directors in the 100 representative site districts said they have had problems with the supplement-not-supplant requirement. Designing a supplementary program in secondary schools was one area where problems arose.

> One-third of the Title I Directors interviewed stated that, in designing Title I projects for secondary school students, there were problems different from those involved in designing elementary programs. Of those perceiving this difference, approximately one-half (54 percent) stated that scheduling was more difficult at the secondary level, but 14 percent referred to the supplanting prohibition or the excess costs requirement. Forty-two percent of the Directors reporting problems in designing secondary school projects identified the problem as "determining what is supplement-not-supplant or excess costs." (Advanced Technology, 1983, P. 7-19.)

However, to reinforce further the notion that these provisions were imperfectly understood, the District Practices Study noted that of the 100 Title I Directors interviewed:

> virtually none described supplanting as a failure to provide Title I students their fair share of state or locally funded services. Over a third defined supplanting as a problem involving use of Title I funds for ineligible students (a general aid problem, not a supplanting violation) (p. 7-22).

The District Practices Study concluded:

> Supplement-not-supplant and excess costs were requirements that appeared to provoke some uncertainty in some districts, particularly when confused with the general aid prohibition and when applied to the design and delivery of instructional services to ensure that Title I participants received supplemental rather than substituted services (p. 7-25).

It is difficult to determine whether this operative goal had become institutionalized during the Title I era because of the confusion about what it meant. None of the available data illuminated the extent of institutionalization of the supplement-not-supplant provisions regarding either state and local compensatory education funds or services "required by law." Federal-level interviewers for the present study felt that the notion of supplementary services had been accepted in a general way: Title I participants got extra services, but did not receive the amount of state and local services they would have in the absence of Title I.

Two of the state directors interviewed for this study indicated that large audit exceptions in this area had caused them to attend much more closely to district practices. All three State Directors felt that their districts were adhering to this principle at the end of the Title I era. The local districts reported occasional problems in the early years, and a few continuing difficulties. Most felt they were in compliance with Title I regulations. It should be noted, however, that several of them had to be prompted to go beyond problems in general-aid and talk about supplanting of services.

Chapter 1 legislation contains essentially the same provision regarding regular education funds, but alters provisions regarding special funds.

Section 558(d) of Chapter 1 contains essentially the same regular supplement-not-supplant provision that was in the Title I statute. The Title I special supplement-not-supplant provision pertaining to state and local compensatory education programs has been eliminated as was the excess cost requirement. Instead, Chapter 1 now has a broad provision allowing districts to exclude certain "special state and local program

funds" from determinations of compliance with the basic supplement-not-supplant mandate (Section 558(d) of Chapter 1). The excludable funds are described as follows:

> A local educational agency may exclude State and local funds expended for carrying out special programs to meet the educational needs of educationally deprived children, including compensatory education for educationally deprived children (which meets the requirements of Section 131(c) of the (ESEA) of 1965).

The legislative history clarifies this by indicating that the exclusion is "only for State compensatory education programs that meet the requirements of section 131(c) of Title I" (H.R. Rep. No. 98-51, P. 6 and S. Rep. No. 98-166, P. 11). The U.S. Department of Education (1983) described the exclusion as "a major change in the previous supplement-not-supplant requirement." The significance of the "major change" is:

> Under Chapter 1 SEA's and LEA's are no longer required to provide children participating in a Chapter 1 project with an equitable share of state and locally funded services that qualify for an exclusion (p. 24).

Chapter 1 contains a new provision stating that the use of pull-out projects cannot be required under the supplement-not-supplant provisions (Section 558(c)). The Title I guidelines concerning other program designs that meet the requirements have been replaced by a section of the Chapter 1 Nonregulatory Guidance Document. The statutory basis for allowing other program designs is still intact, and this seems to be a minor change in the regulations.

There is no evidence that practices regarding provision of supplementary services have changed with the onset of Chapter 1.

The limited interviews with state and local officials conducted as a part of this study indicate that the practices in place at the end of the Title I era are continuing. There were no reports of pressures to change these practices, and most districts reported that there was no additional flexibiltiy under Chapter 1.

Whether these practices are, in fact, representative of the goal of supplement-not-supplant is open to question. The evidence collected prior to the onset of Chapter 1 is too sketchy to permit a firm conclusion about the suitability of these practices. It seems likely that Chapter 1 students will receive certain supplementary services, while receiving somewhat less than their share of state and local services. The major area of change that should be investigated more closely is the extent to which districts are now excluding state and federal compensatory education services from the base of service that each Chapter 1 student must receive.

CONCENTRATION OF SERVICES

It seems only logical that some minimal amount of compensatory education services must be provided in order to be effective. Unfortunately, research has not established a strong relationship between the nature and intensity of compensatory services and improved achievement. General relationships have been shown between class size and achievement (Glass and Smith, 1979), and exposure to instruction and achievement (Wiley, 1976; Keesling, 1978), but these do not fully answer the question of how much to concentrate services in the various types of compensatory programs sponsored by Title I or Chapter 1.

Concentration of services was a consistent operative goal of Title I, but was vaguely defined.

The legislation for Title I specified that programs must be of sufficient size, scope and quality to meet the needs of educationally deprived children. But, in the absence of prescriptive definitions of who was to be served and the nature of the services to be provided, states and districts could implement a broad variety of services of very different concentrations.

The federal government has consistently held that the Constitution prevents it from specifying a particular compensatory educational program, even though the program is federally funded. The Department of Education was even directed (in 1978) to prepare descriptions of alternative models that would comply with federal standards so that the ubiquitous pullout model did not become the implicitly required model by default. It would have been impossible to specify for each of these alternative models a degree of concentration (e.g. types of staff to employ and the number of hours of exposure per week to remedial instruction) that would be acceptably effective. In the absence of such guidance, states and districts were left to determine the level of concentration of services.

Finding an adequate measure of concentration of services is very difficult. The obvious measure, per-pupil expenditures, has many inherent problems. The per-pupil expenditure of Title I or Chapter 1 dollars may not adequately account for all of the resources that are part of the project. Different schools in a district may have certain materials or extra classroom space available already, while others must expend part of their compensatory education dollars to obtain those resources. Specialized teachers

may cost more in some districts than they do in other districts: a district with less expensive teachers can concentrate more of this resource on students for the same expenditure. Despite these difficulties, federal administrators stated that Title I expenditures should be about one-half of the per-pupil expenditures for the regular district program in Program Guide 44 (1974).

Keesling (1984) summarizes work by Haller (1974), Haggart (1978), Levin (1981, 1983), and others concerning the resource-cost approach to determining the costs of educational programs which would provide the most accurate and comparable measure of the costs of compensatory services. This would require measuring the resources applied to students in a project (e.g. the type of staff, the hours of exposure to instruction by that staff, and the setting for that exposure), then providing standardized costs for each resource and computing the standardized per-pupil cost of the project. This would allow different projects to be compared on an equal basis. Higher standardized per-pupil costs would be associated with more concentrated services. Chambers and Parish (1983) have elaborated a computer-based system for state-wide educational planning and finance based on the resource-cost model.

Evidence collected in the Title I era indicated that concentration of resources varied widely.

Winslows's (1979) study of compliance reviews indicated that concentration of resources was a problem from 1965 through 1976, but never involved as many as half the states in his sample. However, he noted that the issue of concentration was tied to the issues of school targeting and student selection, and the persisting problems in those areas might also be evidence of concentration problems. In fact, most of the concentration findings he reported were programs designed to serve too many students.

Winslow also noted that concentration was a difficult area to audit for compliance. The appropriate level of concentration depended upon the needs of the students selected and the nature of the project. The percentage of regular education funds specified in Program Guide 44 was not always used as a standard for compliance.

Goettel and Orland (1977) found that although most states in their sample had a minimum per-pupil allocation standard, there were very large district-to-district variations in per-pupil allocations. NIE (1978) reported that allocations to schools within districts were based on vague rules: only 45 percent of them distributed resources in proportion to the number of served students in each school.

Using standardized resource dollars, Haggert, Klibanoff, Sumner and W liams (1978, p. xxi) showed that Title I students in Title I schools received $411 .:h of services, on average, with a standard deviation of $202. This implies that there was considerable variation in the concentration of resources on individual students. Tables D-1 to D-6 in Haggert, et. al. (1978), show that this variation was large even for students within the same achievement quartile, so the variation in student selection did not account for all of the variation in concentration.

Additional data in Haggert, et al (1978, Tables C-1 to C-6) show that the amount of standard resource dollars allocated to Title I instruction in reading declined from first to sixth grade, while the ratio of this amount to the amount spent on the regular reading program rose. In first grade, expenditures on Title I instruction in reading were about 30 percent higher than the amount spent on the regular reading program. In sixth grade expenditures on Title I instruction in reading were twice the amount of the regular reading program, even though the Title I expenditure had declined by 20 percent since first grade. Thus, depending upon rade level, the benchmark established in Program Guide 44 might, or might not, be attained. A greater concentration of services in the earlier grades might have proven, if Bloom's (1963) theories about the effects of educational interventions are correct.

In 1978, based in part upon these findings, Congress added the requirement that Title I funds be allocated "on the basis of the number and needs of the children to be served." The District Practices Study (Advanced Technology, 1983) reported that three-fourths of the districts surveyed said they allocated funds to schools according to the number of students selected to receive services. But there were still wide variations in the amounts reported from district-to-district, which ranged from under $10 to over $2,000 per pupil.

One of the case study sites from the District Practices Study illustrates the complexity of the decision making processes that makes it hard to maintain a consistent per-pupil allocation (Apling, 1982, p. 20-21). Over the four years from 1978 to 1982, the Title I budget in this district rose from $1.6 million to $1.8 million. The number of children served started at 3,300 went to 4,600 then 4,000 and finally 2,500. Clearly, there is little attempt to maintain a particular level of per-pupil funding. In fact, this district was strongly influenced by a desegregation plan in 1981-82 which resulted in many schools becoming ineligible for services. Apling concluded (p.22) that decisions about the services to provide "take into account. . . demographic change, court-ordered desegregation, and alterations in funding from other compensatory sources."

Chapter 1 retains the 'size, scope and quality' requirements, but the practices established under Title I will not lead to greater concentration.

Chapter 1 legislation does not include the "number and needs" requirement added in 1978. But it does retain the essence of the concentration requirement. Since it is not clear that practices were truly influenced by the number and needs requirement, it seems likely that appropriate practices had not been institutionalized by the end of the Title I era.

Two of the experienced observers of the Title I program we interviewed for this study concluded that this operative goal had never been implemented or institutionalized. A third stressed that reductions in state and local funds for regular education would lead to greater pressure to spread out Chapter 1 dollars. The fourth noted, however, that districts want their compensatory education programs to be successful, and concentration of resources is necessary to attain success.

Earlier sections of this report described the press to provide services to all eligible schools and to all eligible students within those schools. Since federal guidance on the definition of eligibility was not highly prescriptive (nationwide definitions of poverty and educational deprivation were never formulated), considerable variation resulted. The press to serve all eligible schools and students would necessarily result in a wide variation in concentration of services.

Rather than take the straightforward approach of designing a compensatory program suited to the local circumstances and needs, and supplying that program to as many eligible students as the Title I/Chapter 1 budget would permit, most districts seem intent on spreading funds as broadly as possible, and implementing whatever program seems plausible within the resulting budgetary constraints. We conclude that the operative goal of concentrating resources was probably not institutionalized, and the practices that were institutionalized with regard to targeting schools and selecting students probably result in less concentration than would be desirable.

SUMMARY: THESE OPERATIONAL GOALS WERE NEVER FULLY IMPLEMENTED.

The low incidence of services to students in nonpublic schools suggests that many districts were not fulfilling their responsibilities in this regard, as does the overall rate of participation of nonpublic students in Title I programs. There is no evidence regarding the extent to which the nonpublic programs are comparable to those offered

in the public schools. To the extent that the locus of institutionalization of this goal is in the nonpublic agencies whose students receive the services, it is likely that those students will continue to receive services under Chapter 1. The nonpublic agencies still have legal authority to request services under this law.

The supplement-not-supplant requirement seemed to be confusing throughout the Title I era. Evidence suggests that there were considerable problems with implementation. The greatest confusion seemed to be with regard to provisions concerning the treatment of state and local compensatory education programs, and other services "required by law" such as handicapped programs. Title I participants probably received extra services, but did not receive the amount of regular services they would have in the absence of Title I. It will be hard to determine the extent to which these practices have changed under Chapter 1.

Chapter 1 allows districts to exclude state and local funds expended for special programs for educationally deprived children. It will be important to determine the effects of excluding state and local compensatory education services from the base of service that each Chapter 1 student must receive.

The concept of concentration of services was never precisely defined in strictly educational terms. The definition in terms of rates of per-pupil expenditure was not satisfactory, but using that definition, it appeared that there was considerable variation in concentration of services. The evidence suggests that appropriate practices had not been institutionalized by the end of the Title I era. There is no evidence regarding changes in these practices under Chapter 1. The Chapter 1 legislation differs little from the Title I legislation, and the practices that were in place are likely to continue. We conclude that this goal was not institutionalized, and that inertia accounts for this persistence.

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APPENDIX

METHODOLOGY EMPLOYED IN THE STUDY

This appendix presents a brief description of the procedures used in the study. We discuss, in three separate sections, the documents we reviewed, the data bases we obtained for secondary analysis, and the procedures we employed to conduct interviews and process the resulting information.

Document Review

Several studies of Title I administration, implementation, evaluation and impact were conducted during the years from 1965 to 1982. The major studies were:

The Study of Compensatory Education by the National Institute of Education. Reports from this study appeared in 1977 and 1978.

The Sustaining Effects Study, conducted by System Development Corporation for the U.S. Office of Education. Reports from this study that we cited were: Breglio, et al (1978), Haggart, et al (1978), and Hemenway, et al (1978).

The District Practices Study, conducted by Advanced Technology for the Department of Education. The main report for this study appeared in 1983.

The Study of State Management Practices, conducted by American Institutes for Research for the Department of Education. The main report from this study is by Bessey, et al (1982).

The study titled, Trends in management of ESEA Title I: A perspective from compliance reviews was a major source of information about the early years of implementation of Title I. (Winslow, 1979).

Several major studies of particular features of Title I were also reviewed. In the areas of parental involvement the major study was the Study of Parental Involvement in Four Federal Programs, conducted by System Development Corporation for the Department of Education. Reports that profiled and analyzed Title I practices included: Keesling (1980), and Melaragno, et al (1981).

Evaluation and reporting the impact of Title I programs has been the subject of several major studies: Wargo, et al (1972), Gamel, et al (1975), McLaughlin (1975), and Reisner, et al (1982) were used in this study. In addition, a complete issue of Educational Evaluation and Policy Analysis (Volume 1, Number 2, 1979) was devoted to the Title I Evaluation and Reporting System.

We also relied on the Department of Education's Annual Evaluation Report, and a variety of smaller studies of particular features of Title I.

Each of the main authors of this report (Gaffney, Jung, Keesling and Schember) was assigned two of the nine operative goals at the outset. Each author reviewed the appropriate study documents and prepared a historical overview of the legislation and implementation of that area. The operative goal of comparability was added as the study progressed, and was reviewed by Michael J. Gaffney.

Data Bases and Secondary Analysis

We obtained copies of the complete files from the District Practices Study, and the Sustaining Effects Study. We spent considerable time tracing the Survey of State Title I Administration conducted by NIE as part of its study of compensatory education. Eventually, we found that it had never been archived, but copies of 14 of the edited data collection forms were available, representing states that have about half of the nation's population of school children. These data did not prove to be particularly useful, however. There were some obvious flaws in the data (state administrative funds from Title I exceeded the total amount allocated to districts in one state, for example) that caused us to doubt the validity of the information. We did obtain the data bases from the other aspects of the NIE study relevant to our study.

We also had available the data base from the Study of State Management Practices, but since the states were not identified on this file (as a consequence of promises of confidentiality to respondents), we found the report of the study to contain all the information we needed.

Richard Apling and Michael Tashjian reviewed the documentation for the data bases from the District Practices Study, the National Institute of Education Study of Compensatory Education and the Sustaining Effects Study, and developed a correspondence between questions that could be used to trace developments from the period prior to the final revision of the Title I legislation in 1978 to the period just prior to implementation of Chapter 1 (1982).

In reviewing the documentation for the Sustaining Effects Study data base, it became apparent that the unit for this study was the individual school, not the district. As Sustaining Effects Study Memorandum 33.1 states, "... there is no District ID system." Districts have to be identified by dupiicaiton of data elements in the records for the schools in that district. Then, the duplicate records have to be eliminated,

leaving one school to carry the district-level information common to all schools in the district.

This complication, combined with the fact that the extensive series of reports from this study covered all aspects identified as being of interest to us, persuaded us to use the reported data, rather than conduct secondary analyses. Another factor influencing this decision was the fact that the NIE data base, which was organized by district, covered the same time span. This data base was easier to analyze for our purposes.

Interviews

The study was initiated by identifying a number of current and former federal officials who had played a significant role in the development of the Title I program and in its transition to Chapter 1. We also identified directors of previous studies of the Title I program and key proponents of the program outside of the government. We developed an extensive protocol to use in interviewing these people, asking them to discuss the development of each of our operative goals, and to identify for us the best sources of information about the implementation of that goal. They were also to tell us what factors influenced the implementaiton of that goal so that we could examine these in our secondary analyses, and what they expected would happen as Chapter 1 progressed.

For the most part, these respondents pointed us back to the data bases we knew of already (see previous discussion). Most of them were interested in what was presently happening under Chapter 1, and what could be expected in the future. We did receive some good advice about lesser-known studies that proved useful, and we obtained some valuable insights into the nature of institutionalization and the factors affecting implementation of operative goals.

We reasoned that state and local respondents would not be as aware of national studies and data bases, but would be able to tell us directly of their experiences under Title I and Chapter 1. We deliberately chose states and districts which spanned a broad range of regions of the country, ranged widely in size and proximity to urbanized areas, and had differing concentrations of families below the poverty line. Our choices were also informed by the backlog of information available from the District Practices Study.

After choosing three states that provided broad geographic coverage, we listed the districts within those states that had participated in various phases of the District Practices Study. Our selections favored districts that had been part of the representative sample of 100 in which we had conducted extensive interviews, or in the special purpose sample in which administrative practices were examined in detail.

We contacted the state Chapter 1 coordinators and asked them to participate in the study. We sent them copies of the protocol we would use in interviewing them, as well as the parallel protocol we would use in interviewing the district officials. There was no resistance to approving this study. The state coordinators also helped to identify districts on our list of choices in which the Chapter 1 Director had been associated with the Title I program from some years. We wanted to select respondents who would be able to tell us about the development of Title I as well as the changes occuring after Chapter 1. The state coordinators called the districts to inform them of the study and obtain their agreement to participate.

In all of our interviews, we sent copies of the interview protocol to the respondent ahead of the time scheduled for the telephone interview, so that they would have an opportunity to consider the questions and give us the best information available. These protocols were quite extensive. We provided a short background paper explaining the study and the reasons for our interviews, then we provided nine separate protocols, one for each of the operative goals of interest. We called these protocols "background papers" because they included a short synopsis of the legislative history ahead of the questions we wished to ask. An example protocol for one operative goal is shown as Exhibit A-1.

The responses to the questions were written out and circulated to all of the study authors. Subsequently, each author prepared a summary of the state and local interviews in the operative goals for which he had responsibility. This was circulated to the other authors (who had done the original interviews) for verification. A sample summary is shown as Exhibit A-2.

The methods we employed assured that the authors would be close to all sources of data that touched on their areas of responsibility. Each author prepared a draft presenting the data and conclusions to be drawn from it for each of the areas for which he was responsible. In order to help prepare the overview and summary, Richard Jung ceded the preparation of the report on concentrating services to Daniel Schember and Ward Keesling. Ward Keesling edited the final draft, combining the sections into the three chapters, providing additional data, homogenizing the style, and developing the general conclusions from the overview of all of the sections.

EXHIBIT A-1
SAMPLE INTERVIEW PROTOCOL

BACKGROUND PAPER ON PARENTAL INVOLVEMENT

The concept of parental involvement in federal education programs can be traced back to the Community Action Program of the Economic Opportunity Act (EOA) of 1964. EOA required that poverty programs be developed with the "maximum feasible participation of the residents of areas and the members of the groups served." This is a principle of participatory demoncracy: citizens have the right to participate in the formation of policies and the making of decisions that may affect their lives. This appears to be the basic federal intent regarding parental involvement in the Title I/Chapter 1 program.

Close on the heels of EOA came the Elementary and Secondary Education Act (ESEA) of 1965. Seen by many as a continuation of the War on Poverty, ESEA gave the Commissioner of Education authority to establish basic criteria for implementation of projects funded under the Act. Among the then-Commissioner's criteria was the requirement that parents be involved in developing local project applications for Title I of the Act. Subsequent regulations and guidelines clarified and extended this requirement.

In 1968 advisory committees were suggested and "maximum practical involvement" of parents in all phases of Title I was required. By 1971 local educational agencies (LEAs) were required to provide parents with documents on planning, operating and evaluating projects, and a Parent Advisory Council (PAC) was required at the LEA level. In 1974 the law was changed to require councils at both the LEA and school levels, with members selected by parents. The last legislation for Title I, in 1978, described in detail the composition and training of PACs at both levels.

PACs were the required means of parental involvement under Title I, but they were not necessarily the only means of involving parents. Under Chapter 1 of the ECIA the requirements for PACs were eliminated, but "consultation" with parents on the design and implementation of programs and projects was required. The technical amendments added the requirement that LEAs convene an annual public meeting, to which all parents of eligible children must be invited, to explain the programs and

activities funded by Chapter 1. Also, LEAs may now provide "reasonable support" for further parental involvement activities if parents desire and request them.

We would like to have your answers to the following questions:

A. What changes occurred in your parental involvement practices during the period from the inception of Title I to the 1971-82 school year?

1. When did you establish parent advisory councils at the district and school levels? Did all schools serving Title I students eventually have a separate advisory council?

2. What other parental involvement practices did you utilize? For example, did you have a policy to employ parents of Title I students as paid aides, or a policy to recruit such parents to volunteer in the classroom? Were there other special activities for parents of Title I students, such as training in parenting, or in how to assist their children with homework? Did you ever have a "Parent Coordinator" on your staff? How long were these practices in place?

3. Why did these changes occur? Were the changes in parental involvement pratices related mostly to changes in federal policies regarding parental involvement, or were there other factors that influenced these changes, such as funding levels, or state and local policies?

B. Do you have more flexibility regarding parental involvement practices under Chapter 1 of ECIA?

1. If you have more flexibility, but are maintaining the parental involvement practices established under Title I, please tell us why. are you experiencing any pressures to change these practices?

2. If you have more flexibility, and have changed your practices, please tell us what influenced the changes you have made.

3. If you feel that you do not have increased flexibility under Chapter 1 regarding parental involvement, please explain the constraints that are limiting you flexibility.

EXHIBIT A-2

SAMPLE SUMMARY OF INTERVIEWS

SUMMARY OF STATE AND LOCAL INTERVIEWS CONCERNING PARENTAL INVOLVEMENT

State 1: This state strengthened its commitment to parental involvement during the Title I era. The federal mandate for councils played a significant role in this change. The state initiated a "Parent Resource Pool" which funded workshops and training for parents and district staff concerning Title I programs and the role of the councils. The trainees (often parents) became presenters in other districts. This activity is still going on, funded by a voluntary assessments. It now concentrates on curriculum and instruction, and parenting skills. The state respondent knew that some districts had eliminated their councils, although the state had not discouraged maintaining them. The state did not have any idea how many districts had eliminated councils.

District 1.1: This small district had one school, and therefore, one council. Some of the parents had to travel as far as 20 miles to the school. The district used to reimburse parents for mileage to attend council meetings (for Title I and other federal programs). Now they have eliminated this subsidy in all programs and parents are no longer attending as well. The director would have liked to keep the Title I council going, and is sorry to see it fade.

District 1.2: This district nearly eliminated its DAC because there was such a well organized program of activities for SACs. The DAC still meets four times a year to review plans and documents. The SACs have been blended with councils for other programs into a single group at each school that meets monthly. This district used to participate in the Parent Resource Pool. During the Title I era they developed a system for parents to participate in a formal monitoring of the program. This is continuing under Chapter 1. The district trains parents in the methodology used in this monitoring activity.

District 1.3: This large district achieved full compliance with the Title I requirements, but found it expensive to do so. Each school had a half-time parental involvement aide. They are saving this expense under Chapter 1 by eliminating the SACs. The DAC has been retained to meet the requirement for parental involvement--it meets three or four times a year and votes on the Chapter 1 proposal. The district provides workshops for parents on topics such as working with children at home. The district's needs assessment indicated the need for these workshops.

State 2: This state reports that parental involvement increased during the Title I era, even though the requirement of SACs was never enforced. The state sponsored many workshops on parent involvement, and found district Title I directors to be receptive to parental involvement. The involved parents became steadily more sophisticated and assertive in involving themselves. Under Chapter 1, the state guidelines require district officials to meet with a group of parents who are identified early and are organized to provide effective input into the program. Districts may seek approval of alternatives, however, and the state shows flexibility in this regard. The state feels that parent council participation has waned, as much because parents are finding it harder to be involved (job pressures) as because Chapter 1 directors are not devoting as much energy to this as they used to, since it is no longer required.

EXHIBIT A-2 (Continued)

SAMPLE SUMMARY OF INTERVIEWS

SUMMARY OF STATE AND LOCAL INTERVIEWS
CONCERNING PARENTAL INVOLVEMENT

District 2.1: In this district, parental involvement was at a peak when Title I began. The district provided funds for child care during meetings, and provided money for visits to other districts and to state meetings. Later in the Title I era, transportation difficulties began to be a major obstacle. Distances and road conditions began to outweigh interest in council meetings. Under Chapter 1 the district is maintaining all of the councils, but **none of the council members are parents of Chapter 1 children.**

District 2.2: Parental involvement has been strong since the inception of Title I. This district employed (and still does) a full-time parent involvement coordinator, to assure that the district complied with the requirements. The only change under Chapter 1 is that not all SACs have eight members now.

District 2.3: This district reports no substantial change in parental involvement during the Title I era. The director had to solicit parents to be members of the councils as no one would respond to a general call for an election. Nothing has changed under Chapter 1. The district is maintaining the councils in part because it perceives the state as urging them to do so.

State 3: This state felt reasonably in compliance with the final requirements for parental involvement under Title I. This is the area of biggest change under Chapter 1. The respondent felt that more SACs were being retained than DACs, and that the SACs were looking like PTAs. The fear is that some good parent involvement programs have been eliminated in an overreaction to the "unproductive" Title I requirements. The loss of these programs may mean that programs are suffering from lack of parent input and support, and there may even be cases of eligible students going unserved because parents are not as involved as they once were.

District 3.1: This small district used to have a DAC and SACs, but the respondent could not say if they were in compliance regarding the numbers of members or the method of selection. Under Chapter 1 they have retained the DAC, but some SACs have been eliminated. It used to be, and still is, the responsibility of teachers to get parents involved. Generally, they feel that Chapter 1 brought about good change in this area.

District 3.2: In this large district, the regulations have played a major role in shaping parental involvement. They were fully in compliance with the Title I regulations through 1981-82. Under Chapter 1, they moved quickly to eliminate the DAC and SACs. They have moved to a more informal basis for achieving parental involvement: parents are told to come at any time to look at the skills being taught and to contribute as they can to their child's educational program.

District 3.3: This medium-sized district kept pace with the changing requirements under Title I, but has eliminated the SACs under Chapter 1. They felt that SACs were a "real burden." The DAC is seen as providing "direct contact with key parents and community leaders." They are pleased with the flexibility that Chapter 1 has given them in this area.